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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as
a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-Section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएँ
Statutory Orders and Notifications issued by the Ministries of the Government of India (other than
the Ministry of Defence)

गृह मंत्रालय

नई दिल्ली, 22 नवम्बर, 1990

का. आ. 3315.—राष्ट्रपति गृह मन्त्रालय के प्रशासन
(ना. मु.) अनुभाग के अनुभाग अधिकारी को राष्ट्रीय
नागरिक सुरक्षा महाविद्यालय नागपुर, राष्ट्रीय अग्निशमन
सेवा महाविद्यालय, नागपुर, जल मिश्रित आपात बल,
कलकत्ता तथा महानिदेशक नागरिक सुरक्षा यूनिट, गृह
मन्त्रालय, नई दिल्ली के कोर्ट केसों के बारे में भारत संघ
तथा उसकी ओर से शपथ-पत्रों प्रतिशपथ-पत्रों, प्रत्युत्तरों
आदि पर हस्ताक्षर करने और फाइल करने के लिए प्राधिकृत
करते हैं।

[ग. 1-45011/24/90—प्रशा. (ना. मु.) न. दि.]

पदमिनी देसीकचर, उप सचिव

MINISTRY OF HOME AFFAIRS

New Delhi, the 22nd November, 1990

S.O. 3315.—The President is pleased to authorise the
Section Officer, Ad(CD) Section of the Ministry of Home
Affairs to sign and file affidavits, counter-affidavits, rejoinders,
etc., for and on behalf of the Union of India in respect of
Court Cases, of the National Civil Defence College, Nagpur,
National Fire Service College, Nagpur, Mobile Civil Emer-
gency Force, Calcutta and the Director General Civil De-
fence Unit of the Ministry of Home Affairs, New Delhi.

[No. 1-45011/24/90-Ad(CD)]

PADMINI DESIKACHAR, Dy. Secy.

(आन्तरिक सुरक्षा विभाग)

(पुनर्वास विभाग)

नई दिल्ली, 1 नवम्बर, 1990

ORDER

New Delhi, the 1st November, 1990

का.आ. 3316.—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा पुनर्वास विभाग हरियाणा सरकार संयुक्त सचिव श्री आर.एन. गुप्ता को 26-10-90 पूर्वार्द्ध में उक्त अधिनियम के द्वारा अधीन बन्दोबस्त आयुक्त को सौंपे गए कार्यों का निष्पादन करने के उद्देश्य से उन्हें हरियाणा राज्य में मुख्य बंदोबस्त आयुक्त नियुक्त करती है।

2. इसके द्वारा अधिनियम संख्या 1 (7)/विशेष सैल/88-एम.एस.-II (क) दिनांक 22-1-90 का अधिक्रमण किया जाता है।

[संख्या 1 (7)/विशेष कक्ष/88-बन्दोबस्त-II(क)]

कुलदीप राय, उप सचिव

(Department of Internal Security)

(Rehabilitation Division)

New Delhi, the 1st November, 1990

S.O. 3316.—In exercise of the powers conferred by Sub-section (i) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoint Shri R. N. Gupta, Joint Secretary in the Rehabilitation Department of the Government of Haryana, as Settlement Commissioner in the State of Haryana for the purpose of performing the functions assigned to a Settlement Commissioner by or under the said Act, with effect from 26-10-1990 (F.N.).

2. This Notification supersedes Notification No. 1(7)/Spl. Cell/88-SS. II(A) dated 22-1-1990.

[No. 1(7)/Spl. Cell/88-SS.II(A)]

KULDIP RAI, Dy. Secy.

आदेश

नई दिल्ली, 1 नवम्बर, 1990

का.आ. 3317.—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 34 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैं, अरुण कुमार, मुख्य बन्दोबस्त आयुक्त इसके द्वारा बन्दोबस्त आयुक्त की शक्तियों का प्रयोग कर रहे श्री आर.एन. गुप्ता, संयुक्त सचिव, पुनर्वास विभाग, हरियाणा सरकार को, उक्त अधिनियम की धारा 23, 24, 28 और 35 के अधीन मुख्य बन्दोबस्त आयुक्त को प्रदत्त ऐसी शक्तियाँ सौंपता हूँ जिनका हरियाणा राज्य में स्थित ग्रामीण और शहरी निष्क्रान्त भूमि और सम्पत्तियों के संबंध में प्रयोग किया जाएगा।

2. इस आदेश से दिनांक 22-1-90 के आदेश संख्या 1(7)/विशेष सैल/88-एम.एस.-II(ख) का अधिक्रमण किया जाता है।

[संख्या 1 (7)/विशेष सैल/88-एम.एस.-II(ख)]

S.O. 3317.—In exercise of the powers conferred on me under Sub-section (2) of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), I, Arun Kumar, Chief Settlement Commissioner do hereby delegate to Shri R. N. Gupta, Joint Secretary in the Rehabilitation Department of the Government of Haryana, exercising the powers of Settlement Commissioner, the powers conferred on the Chief Settlement Commissioner under Section 23, 24, 28 and 35 of the said Act in so far as such powers may be exercised in respect of rural and urban evacue lands and properties situated in Haryana State.

2. This order supersedes order No. 1(7)/Spl. Cell/88-SS. II(B), dated 22-1-1990.

[No 1(7)/Spl. Cell/88-SS.II(B)]

का.आ. 3318.—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 34 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैं, अरुण कुमार, मुख्य बन्दोबस्त आयुक्त इसके द्वारा बन्दोबस्त आयुक्त की शक्तियों का प्रयोग कर रहे श्री आर. एन. गुप्ता, संयुक्त सचिव, पुनर्वास विभाग, हरियाणा सरकार को, उक्त अधिनियम के अन्तर्गत बनाए गए 87, 88, 90 (1)(क), 90(1)(ख), 90(11), 90(12) तथा 101 संख्यक नियमों के अधीन ऐसी शक्तियाँ सौंपता हूँ जिनका शक्तिपूरक पूल के भाग के तौर पर फरीदाबाद एन आई में स्थित भूमि व सम्पत्तियों सहित उन सभी भूमिपत्तियों और अन्य सम्पत्तियों, जो प्रशासकीय तथा वित्तीय प्रयत्नों के अन्तर्गत हरियाणा सरकार को सौंप दी गई थीं, के निष्पादन हेतु प्रयोग किया जाएगा।

2. इस आदेश से दिनांक 22-1-90 के आदेश संख्या 1(7)/विशेष सैल/88-एम.एस.-II (ग) का अधिक्रमण किया जाता है।

[संख्या-1 (7)/विशेष सैल/88-एम.एस.-II (ग)]

अरुण कुमार, मुख्य बंदोबस्त आयुक्त

S.O. 3318.—In exercise of the powers conferred on me under Sub-section (2) of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), I, Arun Kumar, Chief Settlement Commissioner hereby delegate power under rules 87, 88, 90(1)(a), 90(1)(b), 90(11), 90(12) and 101 framed under the said Act, to Shri R. N. Gupta, Joint Secretary, Rehabilitation Department, Government of Haryana, exercising the powers of the Settlement Commissioner for the purpose of disposal of all lands and properties including those in Faridabad N.I.T. forming part of the compensation pool, which was transferred to the Government of Haryana, under Administrative and Financial arrangements.

2. This supersedes notification Nos. 1(7)/Spl. Cell/88-SS.II(C) dt. 22-1-1990.

[No. 1(7)/Spl. Cell/88-SS-II(C)]

ARUN KUMAR, Chief Settlement Commissioner

नई दिल्ली, 1 नवम्बर, 1990

का.आ. 3319 :—निष्कांत संपत्ति प्रबन्ध अधिनियम, 1950 (1950 का 31) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा पुनर्वास विभाग, हरियाणा सरकार में संयुक्त सचिव श्री आर.एन. गुप्ता को दिनांक 26-10-90 (पूर्वाह्न) से उक्त अधिनियम के द्वारा अथवा उसके अन्तर्गत सहायक महाभिरक्षक को सौंपे गए कार्यों का निष्पादन करने के उद्देश्य से हरियाणा राज्य में निष्कांत संपत्ति का सहायक महाभिरक्षक नियुक्त करती है।

2. इस अधिसूचना द्वारा दिनांक 22-1-90 की अधिसूचना संख्या-1(7)/विशेष सैल/88-एस.एस.-II (घ) का अधिक्रमण किया जाता है।

[संख्या 1(7)/विशेष सैल/88-एस.एस.-II(घ)]

कुलदीप राय, उप सचिव

New Delhi, the 1st November, 1990

S.O. 3319.—In exercise of the powers conferred by Section 5 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoint Shri R. N. Gupta, Joint Secretary, Rehabilitation Department, Government of Haryana, as the Assistant Custodian General of Evacuee Property situated in the State of Haryana for the purpose of discharging the duties imposed on such Assistant Custodian General by or under the said Act with effect from 26-10-1990 (F.N.).

2. This supersedes Notification No. 1(7)/Spl Cell/88 SS. II(D) dated 22-1-1990.

[No. 1(7)/Spl. Cell/88-SS-II(D)]
KULDIP RAI, Dy. Secy.

का.आ. 3320 :—निष्कांत संपत्ति प्रबन्ध अधिनियम, 1950 (1950 का 31) की धारा 55 की उप धारा 3 द्वारा मुझे महा अभिरक्षक के रूप में प्रदत्त शक्तियों का प्रयोग करते हुए मैं, अरुण कुमार एतद्वारा इस विभाग की अधिसूचना संख्या-1(7)/विशेष सैल/88-एस.एस.-II (घ) दिनांक 1-11-90 द्वारा नियुक्त सहायक महाभिरक्षक, हरियाणा सरकार को महाभिरक्षक की निम्नलिखित शक्तियां सौंपता हूँ :—

- (1) उक्त अधिनियम की धारा 24 एवं 27 के अन्तर्गत शक्तियां।
- (2) अधिनियम की धारा 10(2)(0) के अन्तर्गत किसी निष्कांत संपत्ति के हस्तांतरण के अनुमोदन की शक्तियां।
- (3) निष्कांत संपत्ति (केन्द्रीय) प्रबन्ध नियम 1955 के नियम 30-ए के अन्तर्गत मामलों के हस्तांतरण की शक्तियां।

2. इसके द्वारा दिनांक 22-1-90 की अधिसूचना सं. 1(7)/विशेष सैल/88-एस.एस.-II (ङ) का अधिक्रमण किया जाता है।

[संख्या-1(7)/विशेष सैल/88-एस.एस.-II(ङ)]

अरुण कुमार, महा अभिरक्षक

S.O. 3320.—In exercise of the powers conferred on me as Custodian General by Sub-section 3 of Section 55 of the Administration of Evacuee Property Act, 1950 (31 of 1950) I, Arun Kumar, hereby delegate to the Assistant Custodian General for the State of Haryana, appointed vide Notification No. 1(7)/Spl. Cell/88-SS. II(D) dated 1-11-1990 the following powers of the Custodian General :—

- (i) Powers under Section 24 and 27 of the Act.
- (ii) Powers of approval of transfer of any evacuee property under section 10(2)(0) of the Act.
- (iii) Powers of transfer of cases under Rule 30-A of the Administration of Evacuee Property (Central) Rules, 1955.

2. This supersedes Notification No. 1(7)/Spl. Cell/88-77. II(E), dated the 22-1-1990.

[No. 1(7)/Spl. Cell/88-SS.II(E)]

ARUN KUMAR, Custodian General

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 9 नवम्बर, 1990

(आयकर)

का. आ. 3321 :—आयकर अधिनियम, 1961 (1161 का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "कस्तूरबा गांधी नेशनल मेमोरियल ट्रस्ट, इंदौर" को कर-निर्धारण वर्ष 1990-91 से 1992-93 तक के लिए निम्नलिखित शर्तों के अध्वधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

(i) कर-निर्धारिणी इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इनकी स्थापना की गई है ;

(ii) कर निर्धारिणी ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों के दौरान किसी भी अवधि के लिए धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीके से इसकी निधि (जेबर-जवाहिरात, फर्नीचर भावि के रूप में प्राप्त तथा रखरखाव के स्वेष्टिक अंशदातों से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;

(iii) यह अधिसूचना ऐसी किसी आय के सम्बन्ध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिणी के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के सम्बन्ध में अलग से लेखा-मुस्तिकाएँ नहीं रखी जाती हों।

[सं. 8758/फा. सं. 197/48/90-आयकर (नं०-1)]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 9th November, 1990

(INCOME-TAX)

S.O. 3321.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Kasturba Gandhi National Memorial Trust, Indore" for the purpose of the said sub-clause for the assessment years 1990-91 to 1992-93 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objective of the assessee and separate books of accounts are maintained in respect of such business.

[No. 8758/F. No. 197/48/90-ITA. I]

आयकर

का. आ. 3322.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "बाल मंदिर कामराज ट्रस्ट, मद्रास" को कर-निर्धारण वर्ष 1990-91 से 1992-93 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है ; अर्थात्:—

- (i) कर-निर्धारित इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है ;
- (ii) कर-निर्धारित उपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों के दौरान किसी भी अवधि के लिए धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (ज्वेल्स, जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदानों से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;
- (iii) यह अधिसूचना ऐसी किसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो, जब तक कि ऐसा कारोबार उक्त कर-निर्धारित के उद्देश्यों की

प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसी कारोबार के संबंध में अलग से लेखा-गुस्तिकाएँ नहीं रखी जाती हों ।

[सं. 8759 / फा. सं. 197/142/90—आयकर नि.-1]

(INCOME-TAX)

S.O. 3322.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Bala Mandir Kamaraj Trust, Madras" for the purpose of the said sub-clause for the assessment years 1990-91 to 1992-93 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 8759/F. No. 197/142/90-ITA. I]

आयकर

का. आ. 3323.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "श्री कावले मठ संस्थान, बम्बई" को उक्त उपखंड के प्रयोजनार्थ कर-निर्धारण वर्ष 1988-89 तथा 1989-90 के लिए अधिसूचित करती है ।

[सं. 8760/फा. सं. 197/152/90-आ. कर (नि.-1)]

दलीप सिंह, विशेष कार्य अधिकारी

(INCOME-TAX)

S.O. 3323.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Shree Kavle Math Samsthan, Bombay" for the purpose of the said sub-clause for the assessment years 1988-89 and 1989-90.

[No. 8760/F. No. 197/152/90-IT(A. I)]

DALIP SINGH, Officer on Spl. Duty

आदेश

नई दिल्ली, 28 नवम्बर, 1990

स्टाम्प

का. आ. 3324.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो बामोदर

बैंसी कार्पोरेशन द्वारा जारी किए जाने वाले केवल एक सौ बीतांस करोड़ रुपए मूल्य के 67 करोड़ रुपए के लिए 9 % कर मुक्त बंध पत्र और 67 करोड़ रुपए के लिए 13 % कराधेय बंध पत्रों पर, जिन्हें ऋणपत्रों के रूप में वर्णित किया गया है, उक्त अधिनियम के अंतर्गत प्रभावी है।

[सं. 39/90—स्टाम्प/फा. सं. 33/81/90—स्टाम्प]

ORDER

New Delhi, the 28th November, 1990

STAMPS

S.O. 3324.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of debentures—9% tax-free bonds for Rs. 67 crores and 13 percent taxable bonds for Rs. 67 crores of the value of rupees one hundred and thirty four crores only to be issued by the Damodar Valley Corporation are chargeable under the said Act.

[No. 39/90-Stamp-F. No. 33/81/90-ST.]

आदेश

नई दिल्ली, 3 दिसम्बर, 1990

स्टाम्प

का.आ. 3325.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो मैसर्स हिन्दुस्तान जिंक लिमिटेड द्वारा जारी किये जाने वाले बी सौ बीस करोड़ रुपये मात्र के मूल्य के 13 प्रतिशत (कराधेय) सुरक्षित एच जे एल बंधपत्र शृंखला “ख” के रूप में वर्णित ऋणपत्रों के स्वरूप के बंधपत्रों पर उक्त अधिनियम के अंतर्गत प्रभावी है।

[सं. 40/90-स्टाम्प फा.सं. 33/61/90-बि.क.]

वी.के. स्वामीनाथन, अव्वर सचिव

ORDER

New Delhi, the 3rd December, 1990

STAMPS

S.O. 3325.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of debentures—13 per cent (taxable) Secured HZL Bonds Series ‘B’ of the value of rupees two hundred and twenty crores only to be issued by M/s. Hindustan Zinc Limited are chargeable under the said Act.

[No. 40/90-Stamp-F. No. 33/61/90-ST.]

V. K. SWAMINATHAN, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 26 नवम्बर, 1990

का. आ. 3326.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पढ़ी जाने वाली धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा, यह घोषणा करती है कि उक्त अधिनियम की धारा 11 की उप-धारा (i) के प्रावधान बारानगर को-ऑपरेटिव बैंक लि., बारानगर, कलकत्ता, पश्चिम बंगाल पर इस अधिसूचना के राजपत्र में प्रकाशित होने की तारीख से, 30 जून 1992 तक की अवधि के लिए लागू नहीं होंगे।

[एफ. सं. 17(1)/90—विकास]

टी. एम. लसचर, संयुक्त निदेशक

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 26th November, 1990

S.O. 3326.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) of Section 11 of the said Act shall not apply to the Baranagar Cooperative Bank Ltd., Baranagar, Calcutta, West Bengal for the period from the date of publication of this notification in the Gazette of India upto June 30, 1992.

[F. No. 17(1)/90-Dev.]

T. S. LASCHAR, Jt. Director

आई एफ 1 अनुभाग

नई दिल्ली, 4 दिसम्बर, 1990

का.आ. 3327.—केन्द्रीय सरकार, औद्योगिक वित्त निगम अधिनियम, 1948 (1948 का 15) की धारा 21 की उप धारा (2) के अनुसरण में भारतीय औद्योगिक वित्त निगम के निदेशक बोर्ड की सिफारिश पर उक्त निगम द्वारा 26 दिसम्बर, 1990 को जारी किए जाने वाले और 26 दिसम्बर, 2010 को परिपक्व होने वाले बॉण्डों पर देय ब्याज की दर एतद्वारा 11.5 प्रतिशत (साढ़े ग्यारह प्रतिशत) वार्षिक निर्धारित करती है।

[फा.सं. 2(23)/90-आई एफ 1]

वी.पी. भारद्वाज, अव्वर सचिव

IF. I SECTION

New Delhi, the 4th December, 1990

S.O. 3327.—In pursuance of sub-section 2 of Section 21 of the Industrial Finance Corporation Act, 1948 (15 of 1948), the Central Government, on the recommendation of the Board of Directors of the Industrial Finance Corporation of India, hereby fixes 11.5 per cent (eleven and a half percent) per annum as the rate of interest payable on the bonds to be issued by the said Corporation on 26th December, 1990 and maturing on 26th December, 2010.

[F. No. 2(23)/90-IF. I]

V. P. BHARDWAJ, Under Secy.

कार्यालय मुख्य आयकर आयुक्त

कलकत्ता, 25 जुलाई, 1990

सं. 1/1990-91

का. आ. 3328.—आयकर अधिनियम 1961 (1961 का 43) की धारा 120 की उपधारा (1) और (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैं मुख्य आयकर आयुक्त कलकत्ता एतद्वारा निदेश देता हूँ कि कर वसूली अधिकारी जलपाईगुड़ी, जो मुख्य आयकर आयुक्त, पश्चिम बंगाल, कलकत्ता एवं आयकर उप आयुक्त, जलपाईगुड़ी रेंज के प्रशासनिक नियंत्रण के अधीन हैं, अधिसूचना सं. 4-89-90 दिनांक 19-5-89 ज्ञापन सं. आ. अ./मुख्या/तक/366/89-90/3670-4169 दिनांक 24-5-1989 द्वारा परिपत्रित पहले ही सुपुर्द किये गये क्षेत्राधिकार के प्रतिरिक्त ऐसे निर्धारिती जो आयकर उपायुक्त जलपाईगुड़ी रेंज के क्षेत्राधिकार के अधीन आते हों, अपने शक्तियों का भी प्रयोग करेंगे।

2. यह अधिसूचना दिनांक 1-8-1990 से लागू होगी।

[सं. आ. अ./व एवं सां.-III/366/89-90]

डा. एन. आर. शिवस्वामी, मुख्य आयकर आयुक्त

(Office of the Chief Commissioner of Income Tax)

Calcutta, the 25th July, 1990

(No. 1/90-91)

S.O. 3328.—In exercise of the powers conferred under sub-section (2) of Section 120 of the Income Tax Act, 1961, the Chief Commissioner of Income Tax, Calcutta, hereby direct that the Tax Recovery Officer, Jalpaiguri, who is under the administrative control of the Commissioner of Income Tax, West Bengal-I, Calcutta and the Deputy Commissioner of Income Tax, Jalpaiguri Range, shall, in addition to the jurisdiction already vested on him vide Notification No. 4/89-90 dated 19th May, 1989 (circulated through Memo No. ITO/HQ/TECH./366/89-90/3670-4169 dated 24-5-89), exercise jurisdiction also in respect of the assesses who are or who would come under the jurisdiction of Deputy Commissioner of Income Tax, Jalpaiguri Range.

2. This Notification takes effect from 1st August, 1990.

[No. ITO/B&S-III/366/89-90]

DR. N. R. SIVASWAMY, Chief Commissioner of Income Tax

केन्द्रीय उत्पाद शुल्क समारोहलय

अधिसूचना संख्या 8/1990

नागपुर, 14 नवम्बर, 1990

का. आ. 3329.—श्री डी. टी. देशमुख, अधीक्षक समूह "ख" समारोहलय नागपुर निवर्तन की आयु प्राप्त करने पर दिनांक 30-9-1990 को अपरान्ह में शासकीय सेवा निवृत्त हुए।

[फ. सं. 11(3) 1/90/स्था. 1/70735]

जीतराम कैत, अपर समारोह, (कार्मिक एवं सतर्कता)

CENTRAL EXCISE COLLECTORATE

NOTIFICATION NO. 8/1990

Nagpur, the 14th November, 1990

S.O. 3329.—Shri D. T. Deshmukh, Superintendent Central Excise Group 'B' of Nagpur Collectorate having attained the age of superannuation, retired from Government service on 30-9-90 in the afternoon.

[C. No. II(3)1/90/Et.I/70735]

J. R. KAIT, Addl. Collector (PER. & VIG.)

वाणिज्य मंत्रालय

मुख्य नियंत्रक, आयात-निर्यात का कार्यालय

आदेश

नई दिल्ली, 27 नवम्बर, 1990

का. आ. 3330.—मैसर्स भारत इलेक्ट्रॉनिक्स लि., डाकघर भारत नगर, गाजियाबाद (उ. प्र.) को मुक्त विदेशी मुद्रा के तहत जांच उपकरणों के आयात के लिए 21,29,409 रुपए (इक्कीस लाख उनतीस हजार चार सौ नौ रुपए मात्र) के लिए आयात लाइसेंस आई/सी जी/2044844/सी/एक्स एक्स/17/एच/89/सी जी-2/एल एस दिनांक 10-5-89 दिया गया था।

कर्म ने इस उपर्युक्त सीमाशुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि लाइसेंस को मूल सीमाशुल्क प्रयोजन प्रति गुम गई है या अनुपलब्ध है। यह भी बताया गया है कि लाइसेंस की सीमाशुल्क प्रयोजन प्रति किसी भी सीमाशुल्क प्राधिकारी के पास पंजीकृत नहीं की हुई थी इसलिए सीमाशुल्क प्रयोजन प्रति के मूल्य का बिल्कुल भी प्रयोग नहीं किया गया है।

2. अपने दावे के सामर्थ्य में लाइसेंसधारी ने नौटरी पब्लिक, संघ शासित प्रदेश दिल्ली के समक्ष विधिवत शपथ लेकर स्टाम्प पेपर पर एक शपथ पत्र दाखिल किया है। तदनुसार 5 संतुष्ट हूँ कि आयात लाइसेंस सं. आई/सी जी/2044844 दिनांक 10-5-89 की मूल सीमाशुल्क प्रयोजन प्रति कर्म से गुम गई है या अनुपलब्ध है। यथासंशोधित आयात (नियंत्रण) आदेश, 1955 की उप धारा 9 (सी सी), दिनांक 7-12-1955 के तहत प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स भारत इलेक्ट्रॉनिक्स लि., भारत नगर, गाजियाबाद (उ. प्र.) को जारी की गयी उक्त सीमाशुल्क प्रयोजन प्रति सं. आई/सी जी/2044844 दिनांक 10-5-89 को एतद्वारा रद्द किया जाता है।

3. उक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि पार्टी को अलग से जारी की जा रही है।

[सं. सी जी-2/डी ई एफ-3/89-90]

एस. के. भारद्वाज, उप मुख्य नियंत्रक, आयात-निर्यात

MINISTRY OF COMMERCE

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 27th November, 1990

S.O. 3330—Ms. Bharat Electronics Ltd., P.O. Bharat Nagar, Ghaziabad (UP) were granted an import licence No. L/CG/2044844/C/XX/17/H/89/CGII/LS dated 10-5-89 for Rs. 21,29,409 (Rupees twenty one lakh twenty nine thousand and four hundred nine only) for import of testing equipments under free foreign exchange.

The firm has applied for issue of Duplicate copy of Customs purposes copy of the above mentioned licence on the ground that the original Customs purposes copy of the licence has been lost or misplaced. It has further been stated that the Customs purposes copy of the licence was not registered with any customs Authority and as such the value of Customs purpose copy has not been utilised at all.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public U. T. Delhi. I am accordingly satisfied that the original Customs purposes copy of import licence No. L/CG/2044844 dated 10-5-89 has been lost or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dt. 7-12-1955 as amended the said original Customs Purposes copy No. L/CG/2044844 dt. 10-5-89 issued to M/s. Bharat Electronics Ltd., Bharat Nagar, Ghaziabad (UP) is hereby cancelled.

3. A duplicate customs Purposes copy of the said licence is being issued to the party separately.

[No. CGII/DEF-3/89-90/989]

S. K. BHARDWAJ, Dy. Chief Controller of Imports & Exports

नई दिल्ली, 29 नवम्बर, 1990

का. ग्रा. 3331.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमशीतित मछली और मछली उत्पाद निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1987 का संशोधन करने के लिए निम्नलिखित नियम बनाती है अर्थात्—

1. (1) इन नियमों का नाम हिमशीतित मछली और मछली उत्पाद निर्यात (क्वालिटी नियंत्रण और निरीक्षण) दूसरा संशोधन नियम, 1990 है।
- (2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. हिमशीतित मछली और मछली उत्पाद निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1987 के नियम 6.1 के स्थान पर निम्नलिखित नियम रखा जाएगा अर्थात्—

"6.1 निर्यात के लिए मछली और मछली उत्पादों का प्रसंस्करण करने का आशय रखने वाला प्रसंस्करणकर्ता यथास्थिति नियम 4 में उल्लिखित सुविधाओं या नियम 5.1 में उल्लिखित अतिरिक्त सुविधाओं सहित नियम 3 में निरीक्षण के आधार को अपनाते हुए अपने ऐसा करने की सूचना लिखित रूप में परिषद् द्वारा विहित

श्रीकार्मा में अभिकरण के निकटतम कार्यालय को देगा। नियम 4 के अधीन निर्यात के लिए मछली और मछली उत्पादों का प्रसंस्करण करने का आशय करने वाला प्रसंस्करणकर्ता प्रसंस्करण यूनिट के अनुमोदन मदे 1000 रु. (एक हजार रुपये) मात्र का ऐसी सूचना के साथ अभिकरण को सदाय करेगा। ऐसी सूचना प्राप्त होने पर अभिकरण के अधिकारियों की एक टीम यूनिट में उपलब्ध प्रसंस्करण की सुविधाओं की जांच करने के लिए प्रसंस्करण यूनिट में जाएगी। यदि ऐसी जांच किए जाने पर यह पाया जाता है कि सुसंगत नियमों में विहित न्यूनतम सुविधाएं यूनिट में उपलब्ध हैं तो इस प्रयोजन के लिए परिषद् द्वारा गठित विशेषज्ञों का एक पैनल यूनिट में सुविधाओं की पर्याप्तता का व्यापक निरीक्षण करेगा और आगे आवश्यक कार्रवाई के लिए वह अनुमोदन की सिफारिश अभिकरण को करेगा। अभिकरण यूनिट के अनुमोदन की सूचना पैनल की सिफारिश प्राप्त होने के सात दिन के भीतर प्रसंस्करणकर्ता को देगा और, यथास्थिति नियम 3(क) या नियम 3(ख) में के निरीक्षण के आधार को अंगीकार करते हुए, निर्यात के लिए मछली और मछली उत्पादों के प्रसंस्करण की अनुज्ञा प्रसंस्करणकर्ता को देगा।"

[फाइल सं. 6/17/90ई आई एण्ड ई पी]

New Delhi, the 29th November, 1990

S.O. 3331.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules to amend the Export of Frozen Fish and Fishery Products (Quality Control and Inspection), Rules, 1987 namely :—

1. (1) These rules may be called the Export of Frozen Fish and Fishery Products (Quality Control and Inspection) (second Amendment) Rules, 1990.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Export of Frozen Fish and Fishery Products (Quality Control and Inspection) Rules, 1987, for rule 6.1, the following rule shall be substituted, namely :—

"6.1 A processor intending to process fish and fishery products for export either with facilities mentioned at rule 4 or with additional facilities mentioned at rule 5.1 adopting basis of inspection in rule 3, as the case may be, shall inform his intention to do so in the proforma prescribed by the Council to the nearest office of Agency. The processor intending to process fish and fishery products for export under rule 4 shall pay Rs. 1,000 (Rs. One thousand only), on account of approval of processing unit, alongwith such intimation to the Agency. On receipt of such intimation, a team of Agency Officers shall visit the processing unit and assess the facilities provided in the unit.

If on examination, the unit is found to have the minimum facilities as prescribed in the relevant rules, a Panel of Experts constituted for the purpose by the Council shall adjudge the adequacy of facilities in the unit and recommend approval to the Agency for further necessary action. The Agency shall within seven days of receipt of the recommendation, inform the processor the approval of the unit and

permit the processor to process fish and fisher products for export adopting the basis of inspection as per rule 3(a) or 3(b), as the case may be."

[File No. 6/17/90-EI&EP]

Foot Note.—The principal notification was published by No. S.O. 1153 (a) dated 9th April 1988.

नई दिल्ली, 30 नवम्बर, 1990

का.आ. 3332 :—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैमर्स कोरोमण्डल पेस्ट कंट्रोल सर्विसिज, 42-1-24, रंजनयडु स्ट्रीट, काकीनाडा 533007 को (i) तेल रहित चावल की भूसी और (ii) हड्डियों का चूरा, सींग तथा खुरों का निर्यात से पूर्व घुम्रीकरण के लिए इस अधिसूचना के प्रकाशन की तारीख से तीन वर्षों की अवधि के लिए इन शर्तों के अधीन अभिकरण के रूप में मान्यता देती है कि उक्त अभिकरण तेल रहित चावल की भूसी के निर्यात (निरीक्षण) नियम, 1966 के नियम 4 के उप नियम (4) तथा हड्डियों का चूरा, सींग तथा खुरों के निर्यात (निरीक्षण) नियम, 1977 के नियम 5 के अन्तर्गत घुम्रीकरण का प्रमाण पत्र देने के लिए उक्त अभिकरण द्वारा अपनाई गई प्रक्रिया की जांच करने के संबंध में नियत निरीक्षण परिपत्र द्वारा मनोनीत किसी भी अधिकारी को पर्याप्त सुविधाएं देगा।

[फाइल सं. 5/13/88-ई आई एण्ड ई पी]

ए. के. चौधरी निदेशक

New Delhi, the 30th November, 1990

S.O. 3332.—In exercise of the powers conferred by sub-section (1) of section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby recognises for a period of three years from the date of publication of this notification M/s. Coromandel Pest Control Services, 42-1-24 Rangya Naidu Stree, Kakina-da-533007 as an agency for fumigation of (i) De-oiled Rice Bran and (ii) Crushed Bones, Horns and Hooves prior to their export subject to the condition that the said agency shall give adequate facilities to any officer nominated by the Export Inspection Council in this behalf to examine the method of fumigation followed by the said agency in granting the certificate of fumigation under sub-rule (4) of rule 4 of the Export of De-oiled Rice Bran (Inspection) Rules, 1966 and rule 5 of the Export of Crushed Bones, Horns and Hooves (Inspection) Rules, 1977.

[File No. 5/13/88-EI & EP]

A. K. CHAUDHURI, Director

(मुख्य नियंत्रक, आयात निर्यात का कार्यालय)

आदेश

नई दिल्ली, 15 नवम्बर, 1990

का.आ. 3333.—श्री बलजीत सिंह कोहली, ई-41 डबल स्टोरी, लाजपत नगर, नई दिल्ली-110024 को हांगकांग से सहायक उपकरणों सहित एक नग कैनन लैसर कलर कोपियर के आयात के लिए 2,41,500 रुपये के लागत-बीमा-भाड़ा मूल्य के लिए सी सी पी सं. पी/जे/3079899 दिनांक 30-3-90 जारी किया गया था।

7. भारत सरकार ने हाल ही में कलर फोटोकॉपिर्स के आयात पर रोक लगा दी है। चूंकि श्री कोहली आज तक

उपर्युक्त फोटोकॉपियर आयात नहीं कर पाये हैं इसलिए समय समय पर यथा संशोधित आयात निर्यात आदेश, 1955 उप-धारा 9(क) के तहत प्रदत्त शक्तियों का प्रयोग करते हुए उनके पक्ष में जारी किया गया सीमा शुल्क निकासी परमिट सं. पी-जे/3079899 दिनांक 30-3-1990 एतद्वारा रद्द किया जाता है।

[सं. 9/123/ए एम-90/ए एल एम]

माया डी. केम उप मुख्य नियंत्रक

आयात निर्यात

कृते मुख्य नियंत्रक आयात निर्यात

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 15th November, 1990

S.O. 3333.—Mr. Baljit Singh Kohli of E-41, Old Double Storey, Lajpat Nagar, New Delhi-110024 was granted a CCP No P/J/3079899 dated 30-3-90 for import of one No. Canon Laser Color Copier with accessories from Hongkong for a CIF value of Rs. 2,41,500.

2. The import of Color Photocopiers has been banned recently by the Government of India. Since Mr. Kohli could not import the above Photocopier till date, the CCP No. P/J/3079899 dated 30-3-90 issued in his favour is hereby cancelled in exercise of the powers conferred under sub-clause 9(a) of the Import Control Order, 1955, as amended from time to time.

[No. 9/123/AM-90/ALS]

MAYA D. KEM, Dy. Chief Controller of Imports and Exports

for Chief Controller of Imports and Exports

संस्कृति विभाग
(भारतीय पुरातत्व सर्वेक्षण)

शुद्धि पत्र

नई दिल्ली 29 नवम्बर, 1990

का.आ. 3334 :- भारत सरकार, संस्कृति विभाग, भारतीय पुरातत्व सर्वेक्षण, संख्या एस.ओ. 2141 दिनांक 31 जुलाई, 1990 की अधिसूचना की अनुसूची में :-

- (i) कालम 3 के अन्तर्गत, "ग्राम खेड़ा थानेश्वर" के स्थान पर "ग्राम दरा खेड़ा थानेश्वर" पढ़ा जाए।
- (ii) कालम 7 के अन्तर्गत दक्षिण सीमाओं के संबंध की प्रविष्टियों में "14/8,7" के स्थान पर "89" पढ़ा जाए, तथा
- (iii) कालम 8 के अन्तर्गत, "अबादी देह" सम्मिलित किया जाए।

[सं. 2/4/88-एम.]

एम.सी. जोशी, महानिदेशक

DEPARTMENT OF CULTURE

(Archaeological Survey of India)

CORRIGENDUM

New Delhi, the 29th November, 1990

S.O. 3334.—In the Schedule to the notification of the Government of India in the Department of Culture, Archaeological Survey of India, No. S.O. 2141, dated the 31st July, 1990.

- (i) under column 3, "Village Khera Thaneshwar" read for "Village Dara Khera Thaneshwar";
- (ii) under column 7, in the entries relating to South boundaries, for "14/8,7", read "89"; and
- (iii) under column 8, insert "Abadi Deh"

[No. 2/4/88-M]

M. C. JOSHI, Director General

कृषि मंत्रालय
(उर्वरक विभाग)

नई दिल्ली, 29 नवम्बर, 1990

का.आ. 3335 :- सार्वजनिक परिसर (अप्राधिकृत अधि-भोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा भारत सरकार के निर्माण एवं आवास मंत्रालय की अधिसूचना सं. का.आ. 870 दिनांक 3 मार्च, 1972 में निम्नलिखित और संशोधन करती है, अर्थात् :-

उक्त अधिसूचना के नीचे सारणी में क्रम सं. 9 के सामने स्तम्भ (1) की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :-

3200 GI/90-2

"मुख्य कार्यकारी अधिकारी सिन्द्री एकक, फर्टिलाइजर कार्पोरेशन आफ इंडिया लिमिटेड"।

[फा.सं. 76/8/88-एफ टी सी]

अकील अहमद, अवर सचिव

नोट : मूल अधिसूचना का.आ.सं. 870 दिनांक 3-3-72 को जारी की गयी थी जिसमें बाद में निम्नलिखित संशोधन किये गये थे। का.आ.सं. 1633 दिनांक 25-5-73, का.आ.सं. 2593 दिनांक 15-7-74, का.आ. सं. 1510 दिनांक 16-5-80, का.आ. सं. 4586 दिनांक 21-8-85 और का.आ.सं. 2133, दिनांक 22 जून, 1988

MINISTRY OF AGRICULTURE

(Department of Fertilizers)

New Delhi, the 29th November, 1990

S.O. 3335.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Works and Housing No. S.O. 870 dated the 3rd March, 1972, namely :—

In the table below the said notification, against serial number 9, for the entry in column (1), the following entry shall be substituted, namely :—

"Chief Executive Officer, Sindri Unit, Fertilizer Corporation of India Limited."

[F. No. 76/8/88-FDC]

AQEEL AHMAD, Under Secy.

Note.—Principal Notification S.O. No. 870 was issued on 3-3-1972 followed by following amendments S.O. No. 1633 dated 25-5-73, S.O. No. 2593 dated 15-7-74, S.O. No. 1510 dated 16-5-80, S.O. No. 4586 dated 21-8-85 and S.O. No. 2133 dated 22nd June, 1988.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 6 नवम्बर, 1990

का. आ. 3336.—चलचित्र अधिनियम, 1952 (1952 का 37) के खंड 5 के उपखंड (1) तथा चलचित्र (प्रमाणन) नियमावली, 1983 के नियम 7 और 8 में प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस मंत्रालय की दिनांक 6-11-90 की मसमंखक अधिसूचना के अनुक्रम में, केन्द्रीय सरकार निम्नलिखित व्यक्तियों को तत्काल प्रभाव से अगले आदेशों तक फिल्म प्रमाणन बोर्ड, के हैदराबाद सलाहकार पैनल के सदस्य के रूप में नियुक्त करती है :—

1. श्री माचिराजू क्यामला राव
2. श्री गुरुप्पा चौधरी
3. सुश्री पिप्पमानेनी राजाश्री
4. श्री मुक्कामाला वेंकटेश्वरा राव
5. डा. महालक्ष्मी

6. एनी एनी राठीर
7. श्री एन. राधाकृष्णा मूर्ति
8. डा. (श्रीमती) मृनालिनी
9. श्री जे. सिद्धप्पा नायडू
10. श्री एस. सीतारामा राज
11. श्री एम. वेकटेश्वर राव
12. श्री पुराणम सुब्रमण्या शर्मा
13. श्री दुर्गा प्रसाद
14. डा. एन. ए. कृष्णा
15. श्रीमती कोटा प्ररुणा ग्याम
16. श्री पट्टाभि
17. श्री चल्ला रामाकृष्णा रेड्डी
18. श्री हरीश्वर रेड्डी
19. सुश्री येरानेनी सीता देवी
20. श्रीमती लक्ष्मी माधव रेड्डी
21. श्री श्रीपति राजेवर
22. डा. भारत प्रकाश
23. श्री के. गणेशन
24. श्री के० एम० डी० दास
25. श्री जे० चलामेश्वर राव
26. श्री गोपाल
27. श्री मीर अहमद अली खान
28. श्री मधुसूचना शारी
29. श्री सम्बाशिवा राजू

[फाइल सं. 814/4/90 एफ (सी)]

MINISTRY OF INFORMATION & BROADCASTING

New Delhi, the 6th November, 1990

S.O. 3336.—In exercise of the powers conferred by sub-Section (i) of Section 5 of the Cinematograph Act, 1952 (37 of 1952), and rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 and in continuation of this Ministry's Notification of even number dated 6-11-90, the Central Government is pleased to appoint the following persons as members of the Hyderabad Advisory Panel of the Central Board of Film Certification with immediate effect and until further orders :—

1. Shri Machiraju Shyamala Rao
2. Shri Gurappa Chowdhary
3. M/s. Pinnamaneni Rajashree
4. Shri Mukkamala Venkateswara Rao
5. Dr. Mahalakshmi
6. Smt. Annie Rathore
7. Shri N. Radhakrishna Murthy
8. Dr. (Smt.) Mrunalini
9. Shri J. Siddappa Naidu
10. Shri S. Seetarama Raju
11. Shri M. Venkateswara Rao
12. Shri Puranam Subramanya Sharma
13. Shri Durga Prasad

14. Dr. N. A. Krishna
15. Smt. Keta Aruna Vyas
16. Shri Pattabhi
17. Shri Challa Ramakrishna Reddy
18. Shri Harishwar Reddy
19. M/s. Yerneni Sita Devi
20. Smt. Lakshmi Madhav Reddy
21. Shri Sripathi Rajeswar
22. Dr. Bharath Prakash
23. Shri K. Ganeshan
24. K. M. D. Das
25. Shri J. Chalameswar Rao
26. Shri Gopal
27. Shri Mir Ahmed Ali Khan
28. Shri Madhusudhanachari
29. Shri Sambasiva Raju.

[File No. 814/4/90-F(C)]

N. A. VISWANATHAN, Director (Films)

का. धा. 3337.—चलचित्र अधिनियम, 1952 (1952 का 37) के खण्ड-5 के उपखण्ड (1) तथा चलचित्र (प्रमाणन) नियमावली, 1983 के नियम 7 और 8 तथा इस मंत्रालय की दिनांक 24-7-90 की मसमंजसक अधिसूचना के अनुक्रम में, केन्द्रीय सरकार तत्काल प्रभाव से अगले आदेशों तक निम्नलिखित सदस्यों को केन्द्रीय फिल्म प्रमाणन बोर्ड के विल्ली सलाहकार चैमल के सदस्य के रूप में नियुक्त करती है :—

1. श्री पी० बी० प्रभु
2. श्री बी० एल० सौधी
3. श्री चरण दास
4. डा. मोहसिन उम्मानी
5. श्री सी० पल० मल्होत्रा
6. श्री सुशील गुप्ता
7. श्री एस. के. बीम
8. श्री नारायण माथुर
9. डा. अनिल वाशेय
10. श्री विनोद महरा
11. श्री डी० एम० चौहान
12. श्रीमती शीलापाटिल
13. सुश्री आर. महाज
14. श्री अजय भीम्बी
15. श्री राजीव गुप्ता
16. श्री आर. सी. तिवारी
17. सुश्री अनुमिता मेनगुप्ता
18. श्री वीरेन्द्र मिश्र
19. श्री पुनीत टंडन
20. श्री ए० बी० राव
21. श्री आर. एस. बी० राजू
22. श्री जे. एल. रेड्डी

[फा. संख्या 814/11/90 एफ (सी)]

(एन० ए० विश्वनाथन, निदेशक फिल्म)

S.O. 3337.—In exercise of the powers conferred by sub-section (1) of section 5 of the Cinematograph Act, 1952 (37 of 1952), and rules 7 and 8 of the Cinematograph (Certification) Rules 1983 and in continuation of this Ministry's Notification of even number dated 24-7-90, the Central Government is pleased to appoint the following persons as members of the Delhi Advisory Panel of the Central Board of Film Certification with immediate effect and until further orders :—

1. Shri P. B. Prabhu
2. Shri B. L. Sondhi
3. Shri Charan Das
4. Dr. Mohsion Usmani
5. Shri C. L. Malhotra
6. Shri Sushil Gupta
7. Shri S. K. Bose
8. Shri Narain Mathur
9. Dr. Anil Varshney
10. Shri Vinod Mehra
11. Shri D. S. Chauhan
12. Smt. Sheila Patil
13. Ms. R. Sahay
14. Shri Ajay Bhambi
15. Shri Rajiv Gupta
16. Shri R. C. Tewari
17. Ms. Anumita Sengupta
18. Shri Virendra Mishra
19. Shri Puneet Tandon
20. Shri A. V. Rao
21. Shri R. S. V. Raju
22. Shri J. L. Reddy-

[File No. 814/11/90-F(C)]

N. A. VISWANATHAN, Director (Films)

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 27 नवम्बर, 1990

का.आ. 3338.—केन्द्रीय सरकार, दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय दन्त परिषद से परामर्श करने के पश्चात् उक्त अधिनियम की अनुसूची के भाग-1 का निम्नलिखित और संशोधन करती हैं, अर्थात् :—

अनुसूची के भाग-1 में, क्रम संख्यांक 35 की प्रविष्टि के पश्चात् निम्नलिखित प्रविष्टि जोड़ी जाएगी, अर्थात् :—

(1)	(2)	(3)
“36. (उत्कल युनिवर्सिटी)	बैचलर ऑफ डेंटल सर्जरी 17-9-1988 को या उसके पश्चात् प्रदान की गई।	बी.डी.एस. उत्कल

[संख्या बी. 12018/3/90-पी एम एस]

आर. श्रीनिवासन, अव्वर सचिव

टिप्पण : अनुसूची के भाग-1 में बाद में निम्नलिखित के द्वारा संशोधन किया गया है :—

- (1) का.आ. सं. 1540 दिनांक 3 मई, 1988
- (2) का.आ. सं. 2255 दिनांक 1 जुलाई, 1988
- (3) का.आ. सं. 79 दिनांक 22 दिसम्बर, 1988
- (4) का.आ. सं. 2672 दिनांक 26 सितम्बर 1989
- (5) का.आ. सं. 3138 दिनांक 15 नवम्बर, 1989
- (6) का.आ. सं. 3282 दिनांक 12 दिसम्बर, 1989
- (7) का.आ. सं. 668 दिनांक 26 फरवरी, 1990
- (8) का.आ. सं. 1502 दिनांक 3 मई, 1990

MINISTRY OF HEALTH AND FAMILY WELFARE
(Deptt. of Health)

New Delhi, the 27th November, 1990

S.O. 3338.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the central Government, after consulting the Dental Council of India, hereby makes the following further amendment in Part I of the Schedule to the said Act, namely :—

In Part I of the Schedule, after entry at serial number 35, the following entry shall be added namely :—

(1)	(2)	(3)
“36. Utkal University	Bachelor of Dental Surgery (granted on or after 7.9.1988)	BDS Utkal”

[No.V.12018/3/90-PMS]

R. SRINIVASAN, Under Secy.

Foot — Note : —

Part I of the Schedule was subsequently amended Vide :—

1. S.O. number 1548 dated the 3rd May, 1988.
2. S.O. number 2255 dated the 1st July, 1988.
3. S.O. number 79 dated the 22nd December, 1988.
4. S.O. number 2672 dated the 26th September, 1989.
5. S.O. number 3138 dated the 15th November, 1989.
6. S.O. number 3282 dated the 12th December, 1989.
7. S.O. number 668 dated the 26th February, 1990.
8. S.O. number 1502 dated the 3rd May, 1990.

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 29 नवम्बर, 1990

का.आ. 3339.—राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (2) और (4) के अनुसरण में रेल मंत्रालय, रेलवे बोर्ड पश्चिम रेलवे के निम्नलिखित कार्यालयों को, जहां कर्म-चारियों ने हिन्दी का कार्य साधक ज्ञान प्राप्त कर लिया है, अधिवृत्तित करता है :—

भावनगर मंडल

1. यातायात निरीक्षक का कार्यालय

भावनगरपरा

7. यातायात निरीक्षक का कार्यालय

बोटादा

3. यातायात निरीक्षक का कार्यालय	महुवा
4. यातायात निरीक्षक (एम) का कार्यालय	जूनागढ़
5. यातायात निरीक्षक (बी) का कार्यालय	जूनागढ़
6. यातायात निरीक्षक का कार्यालय	पोरबंदर
7. यातायात निरीक्षक का कार्यालय	हसा
8. स्टेशन अधीक्षक का कार्यालय	भावनगर टर्मिनल
9. —तदैव—	भावनगर
10. —तदैव—	बोटाद
11. —तदैव—	पालीताणा
12. —तदैव—	जूनागढ़
13. —तदैव—	गोंडल
14. —तदैव—	महुवा
15. —तदैव—	वेरावल
16. —तदैव—	पोरबंदर
17. —तदैव—	वीरपुर
18. —तदैव—	सासनगीर
19. मुख्य रेलपथ निरीक्षक का कार्यालय	भावनगरपरा
20. निर्माण निरीक्षक कार्यालय	बोटाद
21. —तदैव—	पोरबंदर
22. —तदैव—	जूनागढ़
23. —तदैव—	वेरावल
24. रेलपथ अधीक्षक कार्यालय	धोला जंक्शन
25. —तदैव—	धोलाका
26. —तदैव— (मं)	धोला जंक्शन
27. —तदैव—	पोरबंदर
28. —तदैव—	भीमनाथ
29. —तदैव—	अमरेली
30. —तदैव—	सावरकुंडला
31. —तदैव—	डुंगर जंक्शन
32. —तदैव—	विसावर
33. —तदैव—	वेरावल
34. —तदैव—	जूनागढ़

[सं. हिन्दी-89/रा.भा. 1/12/2]

मसीहुज्जमां, सचिव (रेलवे बोर्ड) पदेन संयुक्त सचिव

MINISTRY OF RAILWAYS
(RAILWAY BOARD)

New Delhi, the 29th November, 1990

S.O. 3339: —In pursuance of sub-Rule (2) and (4) of Rule 10 of the Official Language (Use for the Official purposes of the Union) Rules, 1976 the Ministry of Railways (Railway

Board), hereby, notify the following Offices of Western Railway, where the staff have acquired the working knowledge of Hindi : —

BHAVNAGAR DIVISION

1. Office of Transport Inspector, Bhavnagar Para	
2. " " " " Botad	
3. " " " " Mahuva	
4. " " " " (M)' Junagarh	
5. " " " " (B)' Junagarh	
6. " " " " Porbandar	
7. " " " " Dhasa	
8. Office of station superintendent, Bhavnagar Terminus	
9. " " " " Bhavnagar Para	
10. " " " " Botad	
11. " " " " Palitana	
12. " " " " Junagarh	
13. " " " " Gondal	
14. " " " " Mahuva	
15. " " " " Veraval	
16. " " " " Porbandar	
17. " " " " Virpur	
18. " " " " Susangir	
19. Office of Chief PWI, Bhavnagar para	
20. Office of Inspector of Works, Botad	
21. Office of Inspector of Works, porbandar	
22. Office of Inspector of works, Junagarh	
23. Office of Inspector of works, Veraval	
24. Office of PWI, Dhola Jn.	
25. Office of PWI, Dholka	
26. " " (s) Dhola Jn.	
27. Office of PWI, Porbandar	
28. " " " " Bhimnath	
29. " " " " Amreli	
30. " " " " Sawarkundla	
31. " " " " Dungar Jn.	
32. " " " " Visavadar	
33. " " " " Haravel	
34. " " " " Junagarh	

[No. Hindi-89/OL-1/12/2]

MASIHUZZAMAN Secy. (Railway Board) & Ex. Office
Jt. Secy.

ऊर्जा मंत्रालय
(कोयला विभाग)

नई दिल्ली, 27 नवम्बर, 1990

का.भा. 3340:— केन्द्रीय सरकार के कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7, की उपधारा (1) के अधीन जारी और भारत राजपत्र भाग 2, खंड 3, उपखंड (ii) पृष्ठ संख्यांक 535 से 536 में प्रकाशित भारत सरकार, ऊर्जा मंत्रालय, (कोयला विभाग) की अधिमूचना का.भा. 462, दिनांक 24 फरवरी, 1990 द्वारा इस अधिमूचना से संलग्न अनुसूची में वर्णित भूमि का अधिग्रहण करने के अपने अधिनियम की मूचना दी थी।

और केन्द्रीय सरकार की जानकारी में यह बात लाई गई कि राजपत्र में प्रकाशित उपरोक्त अधिसूचना में मुद्रण की कुछ गलतियाँ हैं।

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त सक्षम बनाने वाले अन्य सभी शक्तियों का प्रयोग करते हुए उक्त अधिसूचना में सार्वजनिक अनुसूची में निम्नलिखित संशोधन करती है -

पृष्ठ क्र. 535 अधिसूचना में-

पंक्ति 5-"एदारा" के स्थान पर "दारा" पढ़ें।

स्पष्टीकरण में-

पंक्ति 5-"अग्राने" के स्थान पर "अधीन" पढ़ें।

पंक्ति 6-"उके" के स्थान पर "उके" पढ़ें।

पंक्ति 7-"विनियमनविनिश्चय" के स्थान पर "विनिश्चय" पढ़ें।

अनुसूची में-

पंक्ति 2-"जोहिलना क्षेत्र" के स्थान पर "जोहिला क्षेत्र" पढ़ें।

तालिका में ग्राम स्तंभ के नीचे -

क्रम.सं. 1-"महमार" के स्थान पर "महीमार" पढ़ें।

क्रम.सं. 3-"बिलरीकोप" के स्थान पर "बिलारीकोप" पढ़ें और जहाँ कहीं भी "बिलरीकोप" शब्द प्रयुक्त हुआ हो, उसके स्थान पर "बिलारीकोप" पढ़ें।

तालिका में साधारण संख्या स्तंभ के नीचे-

क्रम.सं. -"105" के स्थान पर "100" पढ़ें।

वहमील स्तंभ के नीचे -

क्रम.सं. 1-"बनधीगढ़" के स्थान पर "बांधवगढ़" पढ़ें और जहाँ कहीं भी "बदोवगढ़" प्रयुक्त हुआ हो, उसके स्थान पर "बांधवगढ़" पढ़ें।

"711.100 हेक्टर" के स्थान पर "811.100" हेक्टर पढ़ें।

पृष्ठ क्र. 536

ग्राम महीमार (भाग) में अर्जित किए जाने वाले प्लॉट संख्यांक में- पंक्ति 2 में -"311 से 312" के स्थान पर "310 से 312" पढ़ें।

ग्राम बिलारीकोप (भाग) में अर्जित किए जाने वाले प्लॉट संख्यांक में-

पंक्ति 1 में -"13 से 65" के स्थान पर "13 से 165" पढ़ें।

"200 (मार्ग) के स्थान पर "200 (भाग)" पढ़ें।

ग्राम लालपुर (भाग) में अर्जित किए जाने वाले प्लॉट संख्यांक में-

पंक्ति 2-"185 (भाग)" के स्थान पर "188 (भाग)" पढ़ें।

ग्राम समरिया (भाग) में अर्जित किए जाने वाले प्लॉट संख्यांक में-

पंक्ति 2-"394" के स्थान पर "398" पढ़ें।

"453 से 408" के स्थान पर 403 से 408" पढ़ें।

ग्राम कोटी (भाग) के स्थान पर "ग्राम कोटा (भाग)" पढ़ें।

मीमा वर्णन में, भेजा ग-व-क-व में -

पंक्ति 1-"सिमरिया" के स्थान पर "समरिया" पढ़ें और जहाँ कहीं भी "सिमरिया" शब्द प्रयुक्त हुआ हो, उसके स्थान पर "समरिया" पढ़ें।

पंक्ति 2-"साथ व साथ" के स्थान पर "साथ-साथ" पढ़ें।
ऐसी भूमि में, जितनी बाबत उपरोक्त संशोधन जारी किया गया है, हितवद्ध कोई व्यक्ति इस अधिसूचना के जारी किए जाने के तीस दिन के भीतर उक्त भूमि के संतुर्ण या किसी भाग के या उक्त ऐसी भूमि में या उस पर किसी अधिकार के अर्जित किए जाने के विरुद्ध उक्त अधिनियम की धारा 8 की उपधारा (1) के निबन्धनों के अनुसार आपे कर सकेगा।
स्पष्टीकरण-

केवल इस अधिसूचना के द्वारा अर्जित किए जा रहे प्लॉट संख्यांकों की बाबत उक्त अधिनियम की धारा 8(1) के निबन्धनों के अनुसार तीन दिन की उक्त अवधि इस अधिसूचना के राजपत्र में प्रकाशित किए जाने की तारीख से आरंभ होगी ;

[सं. 43015/23/86-सी.ए./एल.एस.डब्ल्यू.]

बी.बी. राव, अवर सचिव

MINISTRY OF ENERGY
(Department of Coal)

New Delhi, the 27th November, 1990

S.O. 3340.—Whereas by the notification of the Government of India in the Ministry of Energy (Department of Coal) No. S.O. 462, dated the 24th February, 1990 published in the Gazette of India, part II, section 3, sub-section (ii) at pages 537 to 538 issued under sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire the lands described in the Schedule appended to that notification;

And, whereas, it has been brought to the notice of the Central Government that certain errors of printing nature have occurred in the publication of the said notification in the Gazette;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central

Government hereby amends the Schedule appended to the said notification as follows :—

at page 537.—in Schedule, in table, under the heading General Number, against serial number 5 for "524" read "724".

at page 538.—in plot number to be acquired in village Semaria (part) in 1st line, for "310, 310 (P)" read "310", in boundary description, line C-D-E-F, in and line for "107, 408, 470, 404, 110, 124, 126, 254" read "107, 408, 108, 407, 404, 110, 124, 126, 254".

Any person interested in any land in respect of which the above amendment has been issued, may within thirty

days of the issue of this notification, object to the acquisition of the whole or any part of the said land, or any right in or over such land in terms of sub-section (1) of section 8 of the said Act;

Explanation :

In respect of plot number being acquired through this notification only, the said period of thirty days in terms of section 8(1) of the said Act starts running from the date of publication of this notification in the Official Gazette.

[No. 43015/23/86-CA/LSW]

B. B. RAO, Under Secy.

पेट्रोलियम और कैमिकल्स मंत्रालय

नई दिल्ली, 3 दिसम्बर, 1990

का. आ. 3341.—यतः पेट्रोलियम और खनिज पदार्थ लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पदप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और, यतः, प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और, आगे, यतः, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अतः, अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पदप लाइन बिछाने के प्रयोजन के लिये एतद् द्वारा अर्जित किया जाता है।

और, आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
ईन्द गोदावरी	पामुह	मुन्वरपल्ली	129	0.236	
			130	0.028	
			126	0.257	
			124	0.200	
			127	0.086	
			121	0.285	
			120	0.050	
			119	0.083	

(1)	(2)	(3)	(4)	(5)	(6)
ईस्ट गोदावरी	पामरु	सुन्दरपल्ली	118	0.098	
			117	0.022	
			102	0.107	
			103	0.108	
			116	0.028	
			115	0.205	
			112	0.233	
			110	0.243	
			109	0.077	
			कुल	2.351	हेक्टे

[सं. ओ 14016/18/90 जी. पी.]

MINISTRY OF PETROLEUM AND CHEMICALS

New Delhi, the 3rd December, 1990

S.O. 3341.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. dated under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962) (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos. (In Hect/ Acres)	Area	Remarks
East Godavari	Pamaru	Sundra Palli	129	0.236	
			130	0.028	
			126	0.257	
			124	0.200	
			127	0.086	
			121	0.285	
			120	0.050	
			119	0.088	
			118	0.098	
			117	0.022	
			102	0.107	
			103	0.108	
			116	0.028	
			115	0.205	
			112	0.233	
			110	0.243	
			109	0.077	
			Total	2.351 Hect	

[No. O-14016/18/90-G.P.]

का. आ. 3342—य. पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कॉमिन्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार का पाइप लाइन का बिछाने के प्रयोजन के लिए अना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी वाक्षाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
ईस्ट गोदावरी	पेदपुडी	संपरा	674	0.407	
			672	0.232	
			671	0.146	
			647	0.093	
			645	0.210	
			664	0.265	
			641	0.088	
			643	0.246	
			602	0.114	
			603	0.212	
			599	0.059	
			600	0.202	
			572	0.049	
			542	0.021	
			569	0.206	
			542	0.021	
			568	0.185	
			567	0.168	
			516	0.203	
			कुल	3.127	हेक्टे

S.O. 3342.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. 1977 dated 13-7-1990 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land Act, 1962) (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Pedapudi	Sampara	674	0.407	
			672	0.232	
			671	0.146	
			647	0.093	
			645	0.210	
			664	0.265	
			641	0.088	
			643	0.246	
			602	0.114	
			603	0.212	
			599	0.059	
			600	0.202	
			572	0.049	
			542	0.021	
			569	0.206	
			542	0.021	
			568	0.185	
			567	0.168	
			566	0.203	
			Total	3.127 Hect.	

[No. O—14016/33/90-G.P.]

का. आ. 3343.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन का बिछाने के लिए प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः मक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जन करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जन किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची
टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
ईस्ट गोदावरी	पेक्कुडी	अभ्युतय पुरम	237	0.178	
			236	0.035	
			235	0.285	
			241	0.071	
			242	0.086	
			243	0.123	
			254	0.314	
			255	0.178	
			256	0.164	
			257	0.214	
			258	0.442	
			259	0.071	
			261	0.071	
			270	0.157	
			278	0.143	
			277	0.377	
			276	0.235	
			275	0.307	
			274	0.086	
			294	0.264	
			299	0.200	
			309	0.071	
			315	0.250	
			305	0.057	
			304	0.285	
			323	0.157	
			322	0.157	
			365	0.299	
			326	0.356	
			360	0.071	
			358	0.278	
			356	0.201	
			355	0.319	
			354	0.214	
			353	0.157	
			350	0.057	
			352	0.090	
			351	0.057	
			कुल	7.51	हेक्टे.

S.O. 3243.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. dated under sub-section (1) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Pedapudi	Atchuthayapuram	237	0.178	
			236	0.035	
			235	0.285	
			241	0.071	
			242	0.086	
			243	0.123	
			254	0.314	
			255	0.178	
			256	0.164	
			257	0.214	
			258	0.442	
			259	0.071	
			261	0.071	
			270	0.157	
			278	0.143	
			277	0.377	
			276	0.235	
			275	0.307	
			274	0.086	
			294	0.264	
			299	0.200	
			309	0.071	
			315	0.250	
			305	0.057	
			304	0.285	
			323	0.157	
			322	0.157	
			365	0.299	
			326	0.356	
			360	0.071	
			358	0.278	
			356	0.201	
			355	0.319	

354	0.214
353	0.157
350	0.057
352	0.090
351	0.057
Total	7.51 Hect:

[No. O-14016/39/90G.P.]

का. आ. 3344.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग का अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथारिटी आफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख को निहित होगा।

अनुसूची
टाटीपाका — काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोवावरी	पेदपुडी	कर कुदुरु		280	0.114
				181	0.189
				284	0.035
				281	0.218
				190	0.204
				184	0.057
				187	0.436
				186	0.042
				175	0.222
				185	0.088
				172	5.057
				134	0.132
				133	0.166
				136	0.021
				137	0.021
				169	0.289
			कुल	2.291	हेक्टे.

[सं. ओ-14016/37/90 जी. पी.]

S.O. 3344—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. dated under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962) (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this Declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Pedapudi	Karakuduru	280	0.114	
			181	0.189	
			284	0.035	
			281	0.218	
			190	0.204	
			184	0.057	
			187	0.436	
			186	0.042	
			175	0.222	
			185	0.088	
			172	0.057	
			134	0.132	
			133	0.166	
			136	0.021	
			137	0.021	
			169	0.289	
			Total	2.291 Hect.	

[No. O-14016/37/90 G.P.]

का. आ. 3345.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजगन्धी में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची
टाटीपाका - काकोनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे न.	क्षेत्रफल (हेक्टे. विवरण एकड़ में)	
1	2	3	4	5	6
ईस्ट गोदावरी	रामचन्द्रापुरम	कोटा	206	0. 209	
			211	0. 028	
			208	0. 277	
			203	0. 173	
			200	0. 321	
			11	0. 107	
			26	0. 274	
			25	0. 178	
			28	0. 168	
			29	0. 059	
			34	0. 357	
			35	0. 128	
			41	0. 049	
			42	0. 114	
			36	0. 071	
			कुल	2. 513 हेक्टे.	

[सं. ओ-14016/19/90 जी पी]

S.O. 3345.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. 1977 dated 13-7-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962) (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE
Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey No.	Area (In Hect/ Acres)	Remarks
East Godavari	Ramachandra Puram	Kota	206	0.209	
			211	0.028	
			208	0.277	
			203	0.173	

1	2	3	4	5	6
			200	0.321	
			11	0.107	
			26	0.274	
			25	0.178	
			28	0.168	
			29	0.059	
			34	0.357	
			35	0.128	
			41	0.049	
			42	0.114	
			36	0.071	
Total				2.513 Hect.	

[No. O—14016/19/90-G.P.]

का. प्रा. 3346.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. प्रा. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका - काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे/एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	करप	कुरुख	202	0.207	
			203	0.085	
			201	0.242	
			200	0.028	
			197	0.003	
			198	0.343	
			183	0.226	
			48	0.021	
			47	0.311	
			कुल	1.466	हेक्टे.

[स. ओ-14016/32/90 - जी. पी.]

S.O. 3346.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. dated under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962) (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect./ Acres)	Remarks
East Godavari	Karapa	Kurada	202	0.207	
			203	0.085	
			201	0.242	
			200	0.028	
			197	0.003	
			198	0.343	
			183	0.226	
			48	0.021	
			47	0.311	
			Total	1.466 Hect.	

[No. O—14016/32/90-G.P

का. आ. 3347.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमोकेल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमुन्दा में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका - काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जिल्ला	तहसील	गाव	सर्वे. नं.	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	सामल कोट	कोप्पारम		52	0.071
				53	0.093
				54	0.228
				50	0.122
				35	0.057
				55	0.221
				57	0.071
				56	0.042
				38	0.542
				24	0.071
				25	0.078
				4	0.178
			कुल.	1.774 हेक्टे.	

[सं. ओ-14016/44/90 - जी. पी.]

S.O. 3347.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas S.O. dated under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962) (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Tatipaka-Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Samalkot	Koppauaram	52	0.071	
			53	0.093	
			54	0.228	
			50	0.122	
			35	0.057	
			55	0.221	
			57	0.071	
			56	0.042	
			38	0.542	
			24	0.071	
			25	0.078	
			4	0.178	
			Total	1.1774	

[No. O-14016/44/90-G.P.]

का.आ. 3348—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1970 तारीख 13-7-1990 द्वारा भारत सरकार ने उक्त अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन की बिछाने के प्रयोजन के लिये अपना आशय घोषित कर दिया था ।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है ।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा ।

अनुसूची

टाटीपाका-काकीषाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
ईस्ट गोदावरी	सामेलकोट	मामीलल दोडडी	82/1	0.428	
			83	0.414	
			84	0.185	
			85	0.102	
			88	0.114	
			107	0.392	
			कुल	1.635 हेक्टे.	

[सं. ओ-14016/43/90-जी.पी.]

S.O. 3348.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. dated under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962) (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE
TATIPAKA—KAKINADA GAS PIPE LINE PROJECT

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Samalkot	Mamilladoddi	82/1	0.428	
			83	0.414	
			84	0.185	
			85	0.102	
			88	0.114	
			107	0.392	
			Total	1.635 Hect.	

[No. O-14016/43/90-G.P.]

का.आ. 3349.—यतः पेट्रोलियम और खनिज पाइप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाईन को बिछाने के प्रयोजन के लिये अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाईन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथारिटी आफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाईन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	शामन्द्रपुरम	बेल्ला	380	0.208	
			381	0.099	
			378	0.125	
			188	0.071	
			189	0.057	
			190	0.178	
			191	0.028	
			197	0.021	

4	5
196	0.254
195	0.153
131	0.057
130	1.160
135	0.092
136	0.206
137	0.142
126/138	0.257
140	0.059
100	0.083
99	0.182
98	0.214
97	0.167
96	0.230
83	0.256
82	0.175
81	0.092
80	0.170
54	0.074
कुल	4.810 हेक्टे.

[सं. ओ-14016/26/90-जी.पी.]

S.O. 3349.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. dated under sub-section (1) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land Act, 1962) (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

TATIPAKA—KAKINDA GAS PIPE LINE PROJECT

District	Mandal	Village	Survey Nos.	Area (In Hect./ Acres)	Remarks
1	2	3	4	5	6
East Godavari	Ramachandra- puram	Vella	380	0.208	
			381	0.099	
			378	0.125	
			188	0.071	

4	5
189	0.057
190	0.178
194	0.028
197	0.021
196	0.254
195	0.153
131	0.057
130	1.160
135	0.092
136	0.206
137	0.142
126, 138	0.257
140	0.059
100	0.083
99	0.182
98	0.214
97	0.167
96	0.230
83	0.256
82	0.175
81	0.092
80	0.170
54	0.074
Total	3.810 Hect.

[No. O-14016/26/90 G.P.]

का.आ. 3350.--यतः पेट्रोलियम और खनिज पाइप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा प्रदत्त भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाईन को बिछाने के प्रयोजन के लिये अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाईन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजधानी में सभी बाधाओं से मुक्त रूप में प्रयोग के प्रकाशन की तारीख में निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं .	क्षेत्रफल (हेक्टे ./एकड़ में)	विवरण
ईस्ट गोदावरी	रामचन्द्रापुरम	दंगेरु	182	0.072	
			183	0.178	
			184	0.300	
			185	0.178	
			194	0.228	
			186	0.078	
			188	0.274	
			188	0.122	
			162	0.342	
			160	0.072	
			159	0.285	
			157	0.193	
			201	0.100	
			202	0.101	
			203	0.191	
			133	0.378	
			134	0.150	
			137	0.028	
			132	0.221	
			120	0.357	
			121	0.193	
			119	0.114	
			122	0.098	
			122/2	0.072	
			116	0.371	
			115	0.014	
			117	0.181	
			107	0.043	
			109	0.028	
			108	0.306	
			105	0.042	
			104	0.021	
			कुल	5.331 हेक्टे	

[सं. ओ-14016/21/90-जी.पी.]

S.O 3350.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas Co. S.O.....dated... ..under sub-section (I) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land Act, 1962) (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the

schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire that right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the

said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

TATIPAKA KAKINADA GAS PIPE LINE PROJECT

District	Mandal	Village	Survey Nos.	Area (In Hect./ Acres)	Remarks
East Godavari	Ramachandra- puram	Dangeru	182	0.072	
			183	0.178	
			184	0.300	
			185	0.178	
			194	0.228	
			186	0.078	
			188	0.274	
			188	0.122	
			162	0.342	
			160	0.072	
			159	0.285	
			157	0.193	
			201	0.010	
			202	0.101	
			203	0.191	
			133	0.378	
			134	0.150	
			137	0.028	
			132	0.221	
			120	0.357	
			121	0.193	
			119	0.114	
			122	0.098	
			122/2	0.072	
			116	0.371	
			115	0.014	
			117	0.181	
			107	0.043	
			109	0.028	
			108	0.306	
			105	0.042	
			104	0.021	
			Total	5.331 Hect.	

का. आ. 3351.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैंबिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उक्त अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को विद्युत के प्रयोजन के लिए अपना आगम घोषित कर दिया था।

और यतः मक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जन करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्-द्वारा घोषित करती कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन विद्युत के प्रयोजन के लिये एतद्द्वारा अर्जन किया जाता है।

और आगे: इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमुंद्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
ईस्ट गोदावरी	सापरील कोट	पनसपाटु	149	0.121	
			148	0.086	
			144	0.035	
			150	0.107	
			143	0.143	
			141	0.143	
			142	0.171	
			131	0.085	
			147	0.035	
			132/2	0.035	
			132/1	0.029	
			130	0.178	
			133		
			कुल	1.168	हेक्टे.

[सं. ओ. 14016/45/90 जी. पी.]

S.O. 3351.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas Co. S. O. dated..... under sub-section (I) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE
TATIPAKA-KAKINADA GAS PIPE LINE PROJECT

District	Mandal	Village	Survey Nos.	Area (In Hect./ Acres)	Remarks
East Godavari	Samalkot	Panasapadu	149	0.121	
			148	0.086	
			144	0.033	
			150	0.107	
			143	0.143	
			141	0.143	
			142	0.171	
			131	0.085	
			147	0.035	
			132/2	0.035	
			132/1	0.029	
			130	0.178	
			133		
			Total	1.168 Hect.	

[No. O-14016/45/90-G.P.]

का. आ. 3352.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आग्रह घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की धारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
ईस्ट गोदावरी	कश्यप	अरटलकट्टा	364	0.053	
			17	0.238	
			22	0.213	
			21	0.009	
			24	0.340	
			27	0.224	
			25	0.222	
			28	0.085	
			36	0.140	
			5	0.269	
			2	0.114	
			कुल	1.907	हेक्टे.

[सं. ओ-14016/38/90-जी. पी.]

S. O. 3352.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas, S. O. 1977, dated 13-7-1990 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962) (50 of 1952), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE TATIPAKA--KAKINADA GAS PIPE LINE PROJECT

District	Mandal	Villago	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Karapa	Aratlakatta	364	0.053	
			17	0.238	
			22	0.213	
			21	0.009	
			24	0.340	
			27	0.224	
			25	0.222	
			28	0.085	
			36	0.140	
			5	0.269	
			2	0.114	
			Total	1.907 Hect.	

[No. O-14016/38/90-G.P.]

का.आ. 3353.—यतः पेट्रोलियम और खनिज पाइप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आणय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और अतः यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद् द्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमुंद्री में सभी बाधाओं मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
ईस्ट गोदावरी	कारपा	चाननामामीडाड	34	0.235	
			61	0.012	
			35	0.160	
			36	0.275	
			38	0.138	
			56	0.071	
			55	0.202	
			40	0.021	
			41	0.016	
			53	0.128	
			48	0.233	
			47	0.125	
			46	0.039	
			कुल	1.671	हेक्टेयर

[सं. ओ-14016/31/90 जी. पी.]

S.O. 3553.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas, S.O. 1977 dated 13-7-1990 under sub-section (I) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE
TATIPAKA—KAKINADA GAS PIPE LINE PROJECT

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Karapa	Chinamamidada	34	0.235	
			61	0.012	
			35	0.160	
			36	0.275	
			38	0.138	
			56	0.071	
			55	0.202	
			40	0.021	
			41	0.016	
			49	0.016	
			53	0.128	
			48	0.233	
			47	0.125	
			46	0.039	
Total			1.671 Hect.		

[No. O-14016/31/90 G.P.]

का.आ. 3354.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइपलाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची हमें विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार एतद्-द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिये एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुंद्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे न.	क्षेत्रफल (हेक्टे. (एकड़ में))	विवरण
ईस्ट गोदावरी	काकीनाड	सर्पवक्त्रम	288	0.706	
			289	0.421	
			290	0.492	
			284	0.079	
			283	0.108	
			294	0.150	
			241	0.172	
			242	0.143	
			237	0.008	
			236	0.065	
			233	0.100	
			230	0.093	
			228	7.256	
			196	0.317	
			193	0.101	
			192	0.279	
			191	0.228	
			190	7.314	
			कुल	4.032	हेक्टेयर

[सं. ओ-14016/42/90 जी. पी.]

S.O. 3354.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas, S.O. 1977 dated 13-7-1990 under sub-section (I) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962) (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the

schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government,

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the

said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

TATIPAKA—KAKINADA GAS PIPE LINE PROJECT

District	Mandal	Village	Survey No.	Area (In Hect/ Acres)	Remarks
East Godavari	Kakinada	Sarpavram	288	0.706	
			289	0.421	
			290	0.492	
			284	0.079	
			283	0.108	
			294	0.150	
			241	0.172	
			242	0.143	
			327	0.008	
			236	0.065	
			233	0.100	
			230	0.093	
			228	0.256	
			196	0.317	
			193	0.101	
			192	0.279	
			191	0.228	
			190	0.314	
			Total	4.032 Hect.	

[No. O-14016/42/90 G.P.]

का. आ. 3335.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जन करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद् द्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के पश्चात् गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमुंद्री में सभी बाधाओं से मुक्त रूप में घोषणा की प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
ईस्ट गोदावरी	करपा	सीरीपुरम	3	0.191	
			4	0.051	
			2	0.032	
			5	0.138	
			6	0.295	
			कुल	707	हेक्टेयर

[सं. ओ-14016/28/90-जी. पी.]

S.O. 3355.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals department of Natural Gas S. O.datedunder sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

AND, WHEREAS, THE Competent Authority has under sub-section (1) of section 5 of the said Act, submitted report to the Government.

AND, FURTHER, WHEREAS the Central Government has, after considering the said report, decided to acquire the

the right of user in the lands specified in the schedule appended to this notification.

NOW, THEREFORE, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

AND, FURTHER, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

TATIPAKA—KAKINADA GAS PIPE LINE PROJECT

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Karapa	Siripuram	3	0.191	
			4	0.051	
			2	0.032	
			5	0.138	
			6	0.295	
			Total	0.707	

[No. O 14016/28/90-G.P.]

का.आ. 3356.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आणख घोषित कर दिया था।

और, यतः, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और, आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अथ, अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद् द्वारा अर्जित किया जाता है।

और, आगे, इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निवेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुंद्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका—काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जतपद	तहसील	ग्राम	सर्वे न.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
ईस्ट गोदावरी	सामान कोट	माधव पठनम	150	0.516	
			97	0.136	
			98	0.222	
			102	0.046	
			106	0.470	
			107	0.129	
			116	0.346	
			117	0.160	
			121	0.377	
			134	0.253	
			133	0.270	
			132	0.256	
			कुल	3.181	हेक्टे.

[सं. ओ-14016/40/90 जी.पी.]

S.O. 3356.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals department of Natural Gas S. O. dated under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

AND, WHEREAS, THE Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government.

AND, FURTHER, WHEREAS the Central Government has, after considering the said report, decided to acquire

the right of user in the lands specified in the schedule appended to this notification.

NOW, THEREFORE, in exercise of the power conferred by sub-section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

AND, FURTHER, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE
TATIPAKA—KAKINADA GAS PIPE LINE PROJECT

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Samalkot	Madhavapatnam	150	0.516	
			97	0.136	
			98	0.222	
			102	0.046	
			106	0.470	
			107	0.129	
			116	0.346	
			117	0.160	
			121	0.377	
			134	0.253	
			133	0.270	
			132	0.256	
			Total	3.181 Hect.	

[No. O-14016/40/90-G.P.]

का.आ. 3357:—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और, यतः, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और, आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब, अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्द्वारा अर्जित किया जाता है।

और, आगे, इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निवेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे. नं.	क्षेत्रफल (हेक्टे./एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	रामचन्द्रा पुरम	भीमक्रोमु पालेम	65	0.229	
			68	0.021	
			63	0.168	

1	2	3	4	5	6
			58	0.257	
			57	0.200	
			56	0.064	
			55	0.121	
			54	0.141	
			53	0.235	
			50	0.383	
			2	0.135	
			कुल	1.954	हेक्टे.

[सं. अ०/14016/23/90-जी.पी.]

S.O. 3357.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals department of Natural Gas S. O.....datedunder sub-section (I) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

AND, WHEREAS, THE Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government.

AND, FURTHER, WHEREAS the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

NOW, THEREFORE, in exercise of the power conferred by sub-section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

AND, FURTHER, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area(In Hect/ Acres)	Remarks
East Godavari	Ramachandra-puram	Bhimakrosu-palem	65	0.229	
			68	0.021	
			63	0.168	
			58	0.257	
			57	0.200	
			56	0.064	
			55	0.121	
			54	0.141	
			53	0.235	
			50	0.383	
			2	0.135	
			Total	1.954 Hect.	

[No.O-14016/23/90 G.P.]

का.आ. 3358:—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भाग्य सरकार ने पेट्रोलियम और केमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा भाग्य सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची हमें विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्वेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सब. नं.	क्षेत्रफल (हेक्टे./एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	रामचन्द्रापुरम	गंगरवरम	31,317	0.326	
			320	0.219	
			330	0.326	
			331	0.129	
			340	0.040	
			341	0.306	
			344	0.148	
			342	0.029	
			221	0.188	
			223	0.098	
			220	0.109	
			219	0.178	
			206	0.219	
			207	0.326	
			209	0.057	
			211	0.035	
			179	0.076	
			182	0.168	
			181	0.228	
			183	0.236	
			167	0.168	
			166	0.184	
			165	0.275	
			162	0.106	
			161	0.122	
			कुल	4.316	हेक्टे.

S.O. 3358.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals department of Natural Gas S. O.datedunder sub-section (I) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

AND WHEREAS, THE Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government.

AND, FURTHER, WHEREAS the Central Government has, after considering the said report, decided to acquire the

the right of user in the lands specified in the schedule appended to this notification.

NOW, THEREFORE, in exercise of the power conferred by sub-section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

AND, FURTHER, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Ramachandra Puram	Gangavaram	31,317	0.326	
			320	0.219	
			330	0.326	
			331	0.129	
			340	0.040	
			341	0.306	
			344	0.148	
			342	0.029	
			221	0.188	
			223	0.098	
			220	0.109	
			219	0.178	
			206	0.219	
			207	0.326	
			209	0.057	
			211	0.035	
			179	0.076	
			182	0.188	
			181	0.228	
			183	0.236	
			167	0.168	
			166	0.184	
			165	0.275	
			162	0.106	
			161	0.122	
Total			4.316 Hect.		

[No. O-14016/20/90-G.F.]

का.आ. 3359:—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची हमें विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रवृत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषित के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीभाका-काकोन्तडा गैस-पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. / एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	पेक्काडी	कङ्गेगुला	72	0.279	
			68	0.149	
			67	0.153	
			63	0.220	
			62	0.192	
			60	0.128	
			59	0.248	
			58	0.228	
			36	0.307	
			34	0.021	
			40	0.050	
			33	0.020	
			32	0.042	
			12	0.025	
			11	0.231	
			7	0.284	
			6	0.071	
			5	0.056	
			4	0.214	
			2	0.249	
			कुल	3.159	हेक्टे.

S.O. 3359.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals department of Natural Gas S. O.datedunder sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

AND WHEREAS, THE Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

AND, FURTHER, WHEREAS the Central Government has, after considering the said report, decided to acquire the

the right of user in the lands specified in the schedule appended to this notification.

NOW, THEREFORE, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

AND, FURTHER, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Arca (In Hect/ Acres)	Remarks
East Godavari	Pedapudi	Kandregula	72	0.279	
			68	0.149	
			67	0.153	
			63	0.220	
			62	0.192	
			60	0.128	
			59	0.248	
			58	0.220	
			36	0.307	
			34	0.021	
			40	0.050	
			33	0.020	
			32	0.042	
			12	0.025	
			11	0.231	
			7	0.284	
			6	0.071	
			5	0.056	
			4	0.214	
			2	0.249	
Total			3.159 Hect.		

[No. O-14016/34/90-G.P]

का.आ. 3360:—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्द्वारा अर्जित किया जाना है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्त्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	रामचन्द्रापुरम	ओडुरु	159	0.071	
			163	0.199	
			160	0.138	
			162	0.067	
			161	0.270	
			155	0.010	
			164	0.306	
			152	0.270	
			150	0.285	
			149	0.035	
			148	0.092	
			200	0.028	
			202	0.213	
			203	0.035	
			242	0.213	
			241	0.057	
			233	0.392	
			234	0.053	
			239	0.192	
			120	0.296	
			121	0.067	
			122	0.235	
			116	0.057	
			125	0.156	
			127	0.027	
			124	0.235	
			238	0.114	
कुल			4.242	हेक्टे.	

S.O. 3360.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals department of Natural Gas S. O. dated under sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

AND WHEREAS, THE Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

AND, FURTHER, WHEREAS the Central Government has, after considering the said report, decided to acquire the

right of user in the lands specified in the schedule appended to this notification.

NOW, THEREFORE, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

AND, FURTHER, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)	Remarks
East Godavari	Ramachandra Puram	Oduru	159	0.071	
			163	0.199	
			160	0.138	
			162	0.067	
			161	0.270	
			155	0.010	
			164	0.306	
			152	0.270	
			150	0.285	
			149	0.035	
			148	0.092	
			200	0.028	
			202	0.213	
			203	0.035	
			242	0.342	
			241	0.057	
			233	0.392	
			239	0.192	
			238	0.114	
			120	0.296	
			121	0.067	
			122	0.235	
			116	0.057	
			125	0.156	
			127	0.027	
			124	0.235	
			Total	4.242 Hect.	

[No. O-14016/29/90-G.P.]

क्र. आ. 3361— यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कोमकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना क्र. आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न सूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (6) के अधीन सरकार को रिपोर्ट देयी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोंपना के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीगाऊ-काकोनाडा गैस पाइप ल जेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे/एकड़ में)	विवरण
ईस्ट गोदावरी	रागचन्द्रापुरम	हसनबाद	65	0.222	
			66	0.243	
			63	0.042	
			52	0.265	
			50	0.193	
			46	0.078	
			47	0.195	
			49	0.001	
			45	0.160	
			43	0.061	
			44	0.042	
			37	0.104	
			कुल	1.606	हेक्टे

[सं. ओ 14016/24/90-जी. पी.]

S.O. 3361.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals department of Natural Gas S. O. dated

under sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

AND, WHEREAS, THE Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

AND, FURTHER, WHEREAS the Central Government has, after considering the said report, decided to acquire

the right of user in the lands specified in the schedule appended to this notification.

NOW, THEREFORE, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

AND, FURTHER, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government, vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

H.G.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Ramachandra- pura	Hasanbada	65	0.222	
			66	0.243	
			63	0.042	
			52	0.265	
			50	0.193	
			46	0.078	
			47	0.195	
			49	0.001	
			45	0.160	
			43	0.061	
			44	0.042	
			37	0.104	
			Total	1.606 Hect.	

[No. O-14016/24/90-G.P.]

का. प्रा. 3362.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. प्रा. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के आयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं में मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	रामचन्द्रापुरम	थेनजावल	80	0.386	
			81	0.314	
			82	0.015	
			84	0.239	

	3	4
	95	0.267
	96	0.024
	118	0.106
	119	0.074
	124	0.014
	123	0.036
	160	0.014
	122	0.092
	126	0.320
	125	0.106
	135	0.307
	159	0.164
कुल	2.478	हेक्टे.

[सं. ओ-14016/27/90-जीपी.]

S.O. 3362.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals department of Natural Gas S.O., 1977 dated 13-7-1990 under sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And, further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Ramachandra Puram	Enamadala	80	0.386	
			81	0.314	
			82	0.015	
			84	0.239	
			95	0.267	
			96	0.024	
			118	0.106	
			119	0.074	
			124	0.014	
			123	0.036	
			160	0.014	
			122	0.092	
			126	0.320	
			125	0.106	
			135	0.307	
			159	0.164	
Total			2.478 Hect.		

[No. O-14016/27/90-G.P.]

का. आ. 3363.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कौमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आणव्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
ईस्ट गोदावरी	पेदापुड़ी	सहपुरम	175	0.138	
			176	0.177	
			179	0.021	
			178	0.235	
			181	0.080	
			195	0.281	
			194	0.023	
			193	0.229	
			209	0.021	
			210	0.336	
			211	0.165	
			229	0.049	
			227	0.156	
			225	0.246	
			293	0.215	
			292	0.137	
			291	0.361	
			299	0.046	
			290	0.004	
			300	0.145	
			281	0.071	
			कुल	3.136	हेक्टे.

S.O. 3363.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S. O. 1977, dated 13-7-1990 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Pedapudi	Shapuram	175	0.138	
			176	0.177	
			179	0.021	
			178	0.235	
			181	0.080	
			195	0.281	
			194	0.023	
			193	0.229	
			209	0.021	
			210	0.336	
			211	0.165	
			229	0.049	
			227	0.156	
			225	0.246	
			293	0.215	
			292	0.137	
			291	0.361	
			299	0.046	
			290	0.004	
			300	0.145	
			281	0.071	
			Total	3.136 Hect.	

[No. O-14016/35/90. GP]

का. आ. 3364.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आणख घोषित कर दिया था।

और यतः मध्यम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस ग्रॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्त्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाड गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
ईस्ट गोदावरी	काकीनाड	कैकबोलु	180	0.345	
			182	0.014	
			181	0.035	
			179	0.275	
			185	0.156	
			186	0.203	
			188	0.229	
			190	0.063	
			193	0.303	
			192	0.024	
			221	0.201	
			222	0.009	
			220	0.057	
			224	0.225	
			225	0.217	
			229	0.106	
			228	0.272	
			231	0.128	
			232	0.163	
			233	0.114	
			कुल	3.139	हेक्टे.

[सं. ओ-14016/36/90-जी. पी.]

S.O. 3364.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas S.O. 1977, dated 13-7-1990 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos	Area (In Hect/ Acres)	Remarks
East Godavari	Kakinada	Kaikavol	180	0.345	
			182	0.014	
			181	0.035	
			179	0.275	
			185	0.156	
			186	0.203	
			188	0.229	
			190	0.063	
			193	0.303	
			192	0.024	
			221	0.201	
			222	0.009	
			220	0.057	
			224	0.225	
			225	0.217	
			229	0.106	
			228	0.272	
			231	0.128	
			232	0.163	
			233	0.114	
			Total	3.139 Hect.	

[No. O-14016/36/90-G.P.]

का.आ. 3365 :—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार के उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार की रिपोर्ट वे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्-द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

प्रस्तुती
टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	रामचन्द्रा पुरम	कंदुल पलेम	110	0.263	
			111	0.281	
			113	0.011	
			112	0.070	
			114	0.028	
			121	0.306	
			119	0.312	
			40	0.243	
			39	0.161	
			38	0.014	
			33	0.129	
			29	0.243	
			30	0.099	
			कुल	2.157	हेक्टे.

[सं. ओ-14016/25/90-जी.पी.]

S.O. 3365 —Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. 1977 dated 13-7-1990 under sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE
TATIPAKA--KAKINDADA GAS PIPE LINE PROJECT

District	Mandal	Village	Survey Nos.	Area (in Hect. Acres)	Remarks
East Godavari	Ramachandra-puram	Kandula Palem	110	0.263	
			111	0.281	
			113	0.011	
			112	0.070	
			114	0.025	
			121	0.306	
			119	0.312	

40	0.243
39	0.161
38	0.014
33	0.129
29	0.243
30	0.99

Total 2.157 Hect.

[No. O.-14016/25/9 O-GP]

का.आ. 3366:- यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्दी में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	करप	बेलंगी	9	0.057	
			25	0.230	
			31	0.139	
			38	0.430	
			30	0.017	
			32	0.287	
			2	0.042	
			कुल	1.202	हेक्टे.

[सं. ओ14016/30/90-जी.पी.]

S.O. 3366—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. dated under sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Karapa	Velangi	9	0.057	
			25	0.230	
			31	0.139	
			38	0.430	
			30	0.017	
			32	0.287	
			2	0.042	
			Total	1.202 Hect.	

[No. O-14016/30/90-G.P.]

का.आ. 3367 :—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची
टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	पामरु	कोडिपल्ली	182	0.099	
			181	0.199	
			180	0.256	
			179	0.342	
			174	0.171	
			172		
			173	0.057	
			147	0.206	
			148	0.214	
			149	0.427	
			141	0.256	
			140	0.171	
			138	0.142	
			133	0.555	
			132	0.330	
			127	0.071	
			128	0.142	
			69	1.485	
			66	0.214	
			28	0.058	
			29	0.199	
			33	0.098	
			32	0.257	
			34	0.042	
			35	0.086	
			41	0.307	
			40	0.199	
			39	0.014	
			44	0.085	

[सं. ओ-14016/17/90-जी.पी.]

S.O. 3367.--Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals department of Natural Gas S.O.....dated..... under sub-section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification on for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user

in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of his declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE
TATIPAKA—KAKINADA GAS PIPE LINE PROJECT

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Pammorru	Kotipalli	182	0.099	
			181	0.199	
			180	0.256	
			179	0.342	
			174	0.171	}
			172		
			173	0.057	
			147	0.206	
			148	0.214	
			149	0.427	
			141	0.256	
			140	0.171	
			138	0.142	
			133	0.555	
			132	0.330	
			127	0.071	
			128	0.142	
			69	1.485	
			66	0.214	
			28	0.058	
			29	0.199	
			33	0.098	
			32	0.257	
			34	0.042	
			35	0.086	
			41	0.307	
			40	0.199	
			39	0.014	
			44	0.085	
			Total		

[No. O-14016/17/90- G.P.]

का.आ. 3368:—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962) (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्-द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्द्वारा अर्जित किया जाता है।

और आये इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैर प्रबॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
ईस्ट गोंदावरी	अल्लवरम	गुड्डाल	381	0.310	
			297	0.170	
			380	0.220	
			382	0.025	
			364	0.040	
			383	0.345	
			311	0.015	
			302	0.040	
			394	0.140	
			295	0.170	
			310	0.015	
			363	0.040	
			365	0.020	
			386	0.180	
			293	0.060	
			296	0.115	
			301	0.020	
			340	0.195	
			341	0.180	
			342	0.155	
			68	0.030	
			77	0.270	
			78	0.375	
			76	0.145	
			81	0.140	
			60	0.025	
			52	0.200	
			169	0.050	
			164	0.060	
			166	0.260	
			162	0.015	
			160	0.205	
			308	0.210	
			314	0.145	
			149	0.240	
			310	0.010	
			कुल	4.835 हेक्टे.	

S.O. 3368.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals department of Natural Gas S.O.dated..... under sub-section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline,

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to the notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of his declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Allavaram	Gudala	381	0.310	
			297	0.170	
			380	0.220	
			382	0.025	
			364	0.040	
			383	0.345	
			311	0.015	
			302	0.040	
			294	0.140	
			295	0.170	
			310	0.015	
			363	0.040	
			365	0.020	
			386	0.180	
			293	0.060	
			296	0.115	
			301	0.020	
			340	0.195	
			341	0.180	
			342	0.155	
			68	0.030	
			77	0.270	
			78	0.375	
			76	0.145	
			81	0.140	
			60	0.025	
			52	0.230	
			169	0.050	
			164	0.060	
			166	0.260	
			162	0.015	
			160	0.205	
			308	0.210	
			314	0.145	
			149	0.240	
			310	0.010	
Total			4.835 Hect.		

का.आ. 3369. —यतः पेट्रोलियम और ग्रिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) का धारा 3 की उपधारा (1) के अधीन भारत सरकार क पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1977 तारीख 13-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जन करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार से निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका-कार्कीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोवावरी	रामचन्द्रापुरम	वेगयम्म पेठा	291	0.036	
			293	0.464	
			294	0.257	
			355	0.428	
			354	0.265	
			353	0.091	
			360	0.164	
			361	0.099	
			357	0.057	
			353	0.314	
			349	0.214	
			345	0.085	
			346	0.200	
			338	0.144	
			175	0.144	
			174	0.213	
			173	0.228	
			170	0.057	
			169	0.106	
			167, 168	0.292	
			166	0.035	
			165	0.220	
			121	0.206	
			120	0.210	
			115	0.133	

[સં. ઓ-4016/51/90-જી.પી.]

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of his declaration in the Gas Authority of India Limited free from encumbrances.

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
1	2	3	4	5	6
East Godavari	Ramachandra puram	Vegayammipeta	291	0.036	
			293	0.464	
			294	0.257	
			355	0.428	
			353	0.265	
			352	0.091	
			360	0.164	
			361	0.099	
			357	0.057	
			353	0.314	
			349	0.214	
			345	0.085	
			346	0.200	
			338	0.144	
			175	0.144	
			174	0.213	
			173	0.228	

	4	5	6
	170	0.057	
	169	0.106	
	167, 168	0.292	
	166	0.035	
	165	0.220	
	121	0.206	
	120	0.210	
	115	0.133	
	124	0.036	
	125	0.178	
	114	0.329	
	107	0.225	
	108	0.142	
	109	0.121	
	96	0.078	
	90	0.301	
	91	0.036	
	92	0.070	
	Total	6.178 Hect.	

[No. O-14016/51/90 G.P.]

नई दिल्ली,

का.आ. 3370 :—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए टाटीमाकाका-कीताडा पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अथॉरिटी आफ इण्डिया लिमिटेड द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

वर्तते कि उक्त भूमि में अपनी सचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सभ्य प्राधिकारी गैस अथॉरिटी ऑफ इण्डिया लिमि. के.जी. वी. वी. प्रोजेक्ट 29-7-1/3/1 मंगोथाभी लाइन्वेरी के सामने, राजमंडी-533103, आन्ध्रप्रदेश में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराने समय किसी भी व्यक्ति को विरोध रूप से विदित करना होगा कि वह व्यक्ति स्वयं से अथवा त्रिधि व्यवसाय के माध्यम से अपना मत करना चाहता है।

अनुसूची

टाटीमाका-काकीताडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट मीनावरी	काकीताडा	ताकन पौड़ी	287	0.370	
			249	0.527	
			239	0.156	
			236	1.868	

4	5	6
251	0.528	
252	0.313	
253	0.178	
254	0.171	
255	0.271	
256	0.199	
257	0.186	
258	0.172	
259	0.115	
260	0.115	
261	0.135	
262	0.150	
263	0.156	
264	0.135	
265	0.998	
266	0.115	
कुल	6.858 हेक्टर	

[सं. ओ-14016/52/90-जी.पी.]

राजीव महर्षि, उप सचिव

S.O. 3370—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through Tatipaka—Kakinada pipeline is to be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (i) of the Section 3 of the Petroleum & Minerals pipeline (Acquisition of Right of users in the land) Act, 1962

(50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd, K. G. Basin Project, 29-7-1/3/1, Opp: Gowthami Library, Rajamundry-533104, Andhra Pradesh.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
1	2	3	4	5	6
East Godavari	Kakinada	Vakalapudi	287	0.370	
			249	0.527	
			239	0.156	
			236	1.868	
			251	0.528	
			252	0.313	
			253	0.178	

4	5
254	0.171
255	0.271
256	0.199
257	0.186
258	0.172
259	0.115
26p	0.115
261	0.135
262	0.150
263	0.156
264	0.135
265	0.998
266	0.115
Total	6.858 Hect.

[No. O-14016/52/90-G.P.]
RAJIV MEHRSI, Dy. Secy.

श्रम मंत्रालय

नई दिल्ली, 16 नवम्बर, 1990

का.आ. 3371:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिनाकुरी माइन नं. 3 आफ मैसर्स ईस्टर्न कोलफील्ड्स लि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता को पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-11-90 को प्राप्त हुआ था।

MINISTRY OF LABOUR

New Delhi, the 16th November, 1990

S.O. 3371.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Chinakuri Mine No. 3 of M/s. Eastern Coalfields Ltd. and their workmen, which was received by the Central Government on the 19-11-90.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 70 of 1988

PARTIES :

Employers in relation to the management of Chinakuri Mine No. 3 of M/s. Eastern Coalfields Limited

AND

Their workmen.

APPEARANCES :

On behalf of Management—Mr. B. N. Lala, Advocate.

On behalf of Workmen—Mr. S. K. Bose, Advocate.

STAFF : West Bengal.

INDUSTRY : Coal.

AWARD

By Order No. L-19012(68)/86-D.IV(B) dattd 3rd April, 1987, the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication:

“Whether the action of the Management of Chinajuri Mine No. 3 of M/s. E.C. Ltd. in not getting the age of Shri Chandradeo Bhuia, Timber Mistry assessed by the Age Determination Committee of Sitarampur Area and terminating his services w.e.f. 1-7-1985 on the ground of his attaining the age of superannuation was justified? If not, to what relief the workman is entitled?”

2. The case is taken up today at the request of both the parties. Mr. B. N. Lala, Advocate appears for the Management and Mr. S. K. Bose, Advocate appears for the workmen. They file a Joint Petition of Comprise duly signed by both parties, and pray for an Award in terms of the same.

3. Considered the Joint Petition of Compromise as well as the submission of both the parties. The terms of the Joint Petition of Compromise appear to be fair, reasonable and in the interest of the parties. I therefore, accept the same and pass an ‘Award’ in terms of the said Joint Petition of Compromise which do form part of this Award as Annexure-A.

This is my Award.

Dated, Calcutta,

The 7th November, 1990.

SUKUMAR CHAKRAVARTY, Presiding Officer
[No. L-19012/68/86-D.IV(B)]

ANNEXURE-A

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

Ref. No. 70/88

PARTIES :

Employers in relation to the management of Chinakuri Colliery.

AND

Their workmen (Chandradeo Bhuia).

The humble joint petition of both the parties in the above matter most respectfully sheweth :

1. That the above matter is pending before the Hon'ble Tribunal and the next date has been fixed on 3-12-90. That in the meantime both the parties have mutually discussed the matter and have come to an amicable settlement on the following terms :—

TERMS OF SETTLEMENT

- (a) That the concerned workman shall be sent to Age Determination Committee/Apex Medical Board for assessment of his age as there is discrepancy in age record and his age will be assessed within a fortnight.
- (b) That the age so determined shall be binding on both the parties.
- (c) That in case his age is assessed less than 60 years, he will be allowed to join duty but no back wages for idle period shall be paid.

2. Both the parties pray that the settlement may be accepted by Hon'ble Tribunal as fair and proper and may be further pleased to take up the matter toady and pass an award in terms of the settlement for ends of justice. And for this act of kindness, both the parties as in duty bound shall ever pray.

Sd/- Illegible.

For & on behalf of the Employers.

Sd/- Illegible

For & on behalf of the Union
Colliery Mazdoor Sabha (AITUC)

का.आ. 3372:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वेस्टर्न कोलफील्ड्स लिमिटेड, सोहागपुर एरिया पोस्ट-धनपुरी, जिला-शहडोल (म.प्र.) के प्रबन्तत्व के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर (म.प्र.) के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-11-90 को प्राप्त हुआ था।

S.O. —In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur (M.P.) as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Western Coalfields Limited Sohagpur Area P.O. Dhanpuri, Distt. Shahdol (M.P.) and their workmen, which was received by the Central Government on the 19-11-1990.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(83)/1986

PARTIES :

Employers in relation to the management of Western Coalfields Ltd., Sohagpur Area, P.O. Dhanpuri, District Shahdol (M.P.) and their workmen, Shri S. Chakraborty, Clerk Grade-I represented through the Rashtriya Koyla Khadan Mazdoor Sangh (INTUC), P.O. Dhanpuri District Shahdol (M.P.).

APPEARANCES :

For Workman : Shri S. K. Rao, Advocate.

For Management : Shri P. S. Nair, Advocate.

INDUSTRY : Coal Mining. - DISTRICT : Shahdol (M.P.).

AWARD

Dated, November 5th, 1990

This is a reference made by the Central Government in the Ministry of Labour vide its Notification No. L-22012(62)/85-D.V/Dm(B), dated 29th September, 1986 for adjudication of the following dispute :—

"Whether the dismissed from services of Shri S. Chakraborty, Clerk Grade-I of Bharat Central Stores by the General Manager, Sohagpur Area of W.C.L., Dhanpuri vide letter No. FD/131/84/1608, dated 17th September, 1984, without proper enquiry and proper opportunity is justified? If not, what relief the workman is entitled to?"

2. Undisputed facts of the case are that the workman, Shri S. Chakraborty, was Clerk Grade 1 of Bharat Central Stores of the W.C.L. (now S.E.C.L.) of Sohagpur Area and his services were terminated with effect from 17-9-1984 after charge-sheet and domestic enquiry. Charge-sheet issued to him is as follows :—

CHARGE-SHEET

An order, No. MGB/WCL/C-2/(D)/SE(C)/1/B/ER/Canvas Boots/19/80/415, dated 1-4-80, was placed on M/s. Indian Leather Works, Faridabad for the supply of 2280 Nos. of Canvas Shoes. The documents were returned on LSE basis i.e. 98 per cent payment through the Bank. M/s. Indian Leather Works, Faridabad had sent the GC Note No. 1302 dated 17-3-81. As a store receipt clerk, you entered the GC Note 1302 in the RR Register on 9-4-81 and from the preliminary enquiry, it is revealed that Shri D. D. Tripathi handed over the GC Note 1302 dated 17-3-81 to you. As a Store-receipt Clerk, it is your duty to see that material/consignment is received properly in time and paper records are maintained for the receipt of goods. Though you received the bill of M/s. Indian Leather Works on 9-4-81, you reported about the non-receipt of the material only on 18-8-81, i.e. after a lapse of nearly 4½ months. It is also further revealed from the preliminary enquiry that a written statement prepared by Mr. A. P. Sukla, Clerk, Central Stores of all the GC Notes receipt was sent to you to furnish a Certificate of receipt of material which was deliberately misplaced by you. The preliminary enquiry revealed that the GC Note bearing No. 1302 which was handed over to you by Shri D. D. Tripathi was not returned to him. As a result of your negligence in discharging your duties the payment was effected to the party i.e. M/s. Indian Leather Works, Faridabad on the basis of 98 per cent payment through the bank though the material i.e. 2280 pairs of Canvas Shoes was not received by the Stores from the party. This deliberate lapse on your part has put the company into loss to the tune of about Rs. 83,000.

This is a serious misconduct on your part under Clause 17(i)(a) and 17(i)(g) of the Certified Standing Orders applicable to you which read as under :—

17(i)(a) :—"Theft, fraud or dishonesty in connection with employer's business or property."

17(i)(g) :—"Gross neglect of work."

You are required to show cause within 72 hours of receipt of this letter of charge why disciplinary action even amounting to termination from service should not be taken against you. If the above charges are proved, they would constitute misconduct under the provisions of the certified standing orders under clause 17(i)(a) and 17(i)(g) mentioned above.

If you fail to offer your explanation within the time mentioned above, it will be presumed that you have no explanation to offer and that you have accepted the charges levelled against you and the matter will be disposed off without any further reference to you and pass such orders as may be deemed fit."

3. The Central Government vide its Notification No. L-22012(62)/85-D.V/Dm(B), dated 11th March, 1987, substituted the Schedule mentioned in the Order No. L-22012(62)/

85-D. V/D. III(B), dated the 29th September, 1986 and quoted above. The substituted Schedule reads as under :—

"Whether the dismissal from services of Shri S. Chakraborty, Clerk Grade-I of Burhar Central Stores by management of Sohagpur Area of WCL, Dhanpuri with effect from 17-9-1984 is justified? If not, what relief is the workman entitled to?"

Therefore this Tribunal has to adjudicate upon the above Schedule.

4. My learned predecessor vide his order dated 16-6-1988 held that the enquiry is vitiated being illegal and directed the parties to prove the misconduct of the workman concerned before this Tribunal. Hence I shall not deal with pleadings relating to challenging the validity of the domestic enquiry.

5. In substance the workman's case is that he has not committed any misconduct as alleged. The punishment awarded is too severe. The order of dismissal is, therefore, liable to be set aside with all back wages and consequential reliefs.

6. According to the management, the departmental enquiry was valid and the dismissal is an adequate punishment. The facts on which basis the domestic enquiry was held and the workman was punished have been enumerated in the charge-sheet referred to in para 2 of the judgment and I need not repeat them once again. Hence I proceed to deal with issues and evidence.

7. The following issues were framed by my learned predecessor and my findings are recorded against each of them :—

ISSUES

1. Whether the enquiry is proper and legal?
2. Whether the management is entitled to lead evidence before this Tribunal?
3. Whether the charges of misconduct are proved on the facts of the case?
4. Whether the punishment awarded is proper and legal? It's effect?
5. Relief and costs.

FINDINGS WITH REASONS :

8. Issue Nos. 1 & 2.—My learned predecessor has already held that the enquiry is vitiated being illegal and directed the management to lead evidence to prove the misconduct of the workman concerned, vide order dated 16-6-1988.

9. Issue Nos. 3 to 5.—I will deal with all these issues together for the purpose of gravity and convenience.

10. The management has examined Sreeram Sharma and B. N. Banerjee in support of their case and have proved documents.

11. According to the witnesses the order dated 7-4-80 (Exh. M-8) was placed with M/s. India Leather Works, Faridabad for supply of 2280 Canvas Shoes. In the month of August 1981 it was revealed that the aforesaid consignment consisting of 2280 Canvas Shoes had not received in the stores and even 98 per cent of the payment towards costs of the aforesaid material has been remitted to the party M/s. India Leather Works, Faridabad through the State Bank of India Dhanpuri Branch. It has been further averred by these witnesses that the Stores Officer therefore directed B. N. Banerjee to conduct a preliminary investigation and it was revealed that an order dated 7-4-80 (Exh. M/8) was placed with M/s. India Leather Works, Faridabad for supply of 2280 Canvas Shoes. The documents were retired on LSE basis i.e. 98 per cent payment through the Bank to be made. According to these witnesses M/s. India Leather Works had sent the GC Note No. 1032 dated 17-3-1981. The GC Note was entered into R. R. Register on 9-4-1981 by the workman who was the Store Receipt Clerk. It was found that Shri D. D. Tripathi had handed over the aforesaid GC Note to the workman concerned.

12. From the above evidence it is also clear that as a Store Receipt Clerk it was the duty of the workman concerned to find out whether the material has been delivered by the transporter to the stores. Thus even though the relevant documents and bills of M/s. India Leather Works were received by the workman concerned on 9-4-1981, he reported about the non-delivery of the material as late as on 18-8-1981, that too when Shri A. P. Shukla, Clerk Central Stores had sent a written statement of all the GC Notes received. The workman was to furnish the certificate of the receipt of the material. According to the evidence led by the management the workman had to furnish a certificate of receipt of the material which he did not do. The statement was also misplaced by the workman.

13. Thus not only after 4½ months i.e. in August 1981 Shri Chakraborty reported about the non-receipt of material, but when he was requested by the Store Keeper to produce the R.R. Shri Chakraborty was unable to produce the R.R. and the R.R. also was said to have been misplaced. On account of the above misconduct of Shri Chakraborty i.e. because he did not report the non-delivery of material in time and further because he misplaced the documents relating to material, payment of Rs. 83000 was affected.

14. The only thing that was brought about in the cross-examination of the witnesses was that it was on account of the negligence in the procedure on the part of the workman concerned that this loss has occurred.

15. On facts, these witnesses have not been cross-examined, and it stands established that because Shri Chakraborty did not report the non-delivery of the material in time, and he misplaced the documents relating to the material payment of Rs. 83000 was affected to M/s. India Leather Works, Faridabad through bank and the material was not received from the party. This was obviously due to the negligence of the workman concerned in procedural working (M.W. 1 Sreeram Sharma para 9 & M.W. 2 B. N. Banerjee paras 10 and 11).

16. So far as the question of the propriety of the punishment is concerned, my attention was drawn towards the Award of my predecessor dated 27-4-87 in case No. CGIT/LC(R)(96)/85 (Ex. W/1) according to which on a similar charge relating to the same incident my learned predecessor on the ground of misconduct of negligence has taken a view that the punishment of dismissal is excessive and severe and directed that the workman, Shri D. D. Tripathi, be reinstated with continuity of service for the purpose of Gratuity and increment etc. but without back wages with no order as to costs. If this Tribunal takes a harsher view in the present case there would be disparity in the quantum of punishment and therefore endorsing the view of my learned predecessor (Ex. W/1), in the particular facts and circumstances of this case I hold as follows :—

1. Charges of misconduct are proved. Punishment awarded though legal but not proper.
2. Punishment awarded though legal, but the dismissal of the workman is not justified on facts of the case.
3. The workman is entitled to reinstatement with continuity in service for the purpose of Gratuity and increment etc. but without back wages with no order as to costs.

Reference is, therefore, answered accordingly.

V. N. SHUKLA, Presiding Officer
[No. L-22012/62/83-D V/D.III(B)]

नई दिल्ली, 21 नवम्बर, 1990

का.आ. 3373:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मध्याह्न कालीन आफ मैसर्स ईस्टर्न बोलफील्ड्स लिमिटेड, पो. मध्याह्न नूतनडांगा, जिला बर्दवान के प्रबंधन के संवद्ध नियोजकों और उनके कर्मचारियों के बीच, अनु-

बंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचदश का प्रकाशित करती है, जो केन्द्रीय सरकार का 20-11-90 का प्राप्त हुआ था।

New Delhi, the 21st November, 1990

S.O. 3373.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Madhaipur Colliery or M/s. Eastern Coalfields Ltd., P.O. Madhaipur, Nutandanga, Dist. Burdwan and their workmen, which was received by the Central Government on the 20-11-90.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL ASANSOL

Reference No. 17/88

PARTIES :

Employers in relation to the management of Madhaipur Colliery of M/s. Eastern Coalfields Ltd.

AND

Their workmen.

APPEARANCES :

For the Employers.—Sri P. K. Das, Advocate.

For the Workmen.—Sri Manoj Mukherjee, Advocate.

INDUSTRY : Coal.

STATE : West Bengal.

Dated, the 31st October, 1990

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-24012/(151)/87-DIV(B) dated the 30th December, 1987.

SCHEDULE

Whether the action of the Management Madhaipur Colliery of M/s. Eastern Coalfields Ltd., P.O. Madhaipur, Nutandanga, Dist. Burdwan (W.B) in denying Cat. IV wages to S/Sri Naresh Rajbhar, Kamla Shaw, Gautam Shaw, C.H.P. Operators w.e.f. April, 1985, is justified? If not, to what relief are the concerned workmen entitled?"

2. The case of the workmen in brief is that the workmen concerned S/Sri Naresh Rajbhar, Kamla Shaw and Gautam Shaw were initially appointed on different dates in different years as Haulage Khalasi in Category III at Madhaipur Colliery and they had been performing their duty to the full satisfaction of the management. In the meantime a Coal Handling Plant (C.H.P.) was installed in the said colliery. The management having been satisfied with the performance of the present workmen promoted/upgraded them on temporary basis from Category III to Category IV as C.H.P. Operators with a verbal stipulation that promotion or upgradation will be confirmed in writing and this happened in the year 1976-77. The management subsequently confirmed the said promotion/upgradation of the concerned workmen in writing by an office Order dated 6/14-10-82 (Ext. W-1) and they were treated as permanent employees in Category IV. The concerned workmen went on received wages in Category IV. The management all of a sudden and without giving any intimation to the concerned work-

men and without assigning any reason had illegally started paying them wages of Category III from the month of April, 1985. The action of the management is illegal, malafide and arbitrary.

The concerned workmen raised a dispute through their union before the A.L.C. (C) Ranigunj. But the attempts of conciliation failed. The matter was sent to the Ministry of Labour and ultimately the Ministry of Labour has referred the dispute to this Tribunal for adjudication.

3. The case of the management in brief is that it is true that the concerned workmen were working in Madhaipur Colliery as Haulage Khalasi in Cat. III. It is admitted that they were engaged as C.H.P. Operators but that is a selecting Plant within the same category. Through mistake an Office Order was issued placing them in Category IV. They were never paid the wages of Category IV. It is true that they have been rendering services as C.H.P. Operators since now. The Office Order which was issued through mistake was rescinded by a letter No. 1534/1826 dated 10-12-82 (Ext. M-3). The management has denied the material averments of the written statement filed by the union.

4. It is admitted that all the three concerned workmen were Haulage Khalasi in Category III of Madhaipur Colliery. It is also admitted that after installation of Coal Handling Plant in the year 1976-77 the concerned workmen were engaged to work as C.H.P. Operators by an Office Order dated 6/14-10-82 (Ext. W-1) which reads as follows :

"Office of the Agent, Madhaipur Colliery.

Ref. No. 1534/1188

Dated 6/14-10-82.

OFFICE ORDER

The following employees have been working in higher Category as mentioned against their names are as under :—

Sl. No.	Name	Present Desig.	Working as	Present Cat./Basic	Wages to be paid Cat. Basic
1.	Sri Naresh Rajbhar	H.Kh	C.H.P. Operator	III Rs.19.29	IV Rs.19.87
2.	Kamla Shaw	,,	,,	,,	,,
3.	Govind Shaw	,,	,,	,,	,,

The wages section is advised to pay them, their difference wages indicated above w.e.f. 21-8-82.

Sd/- Manager
Madhaipur Colliery."

It is the case of the workmen that on verbal stipulation they were appointed to work as C.H.P. Operators in 1976-77 and by the above order their appointment was confirmed. I find nothing to disbelieve in this claim of the workmen as the first line of the order (Ext. W-1) reads :—

"the following employees have been working in higher category....."

It is also admitted that still they have been working as C.H.P. Operators.

5. The management has come with the case that the post of the Operators of C.H.P. is a post of Category III. The present workmen were initially the Haulage Khalasi in Category III. From the report of the Central Wage Board for Coal Mining Industry Vol. I, I find that Haulage Khalasi below 75 H. P. is a post of Category III. But a

Haulage Khalasi from 75 H. P. upto 125 H. P. is a post of Category IV. During hearing of the case it has been contended from the side of the management that the Madhaipur Coal Handling Plant is a Mini Plant with a capacity of less than 75 H. P. Sri Amal Manan MW-1 has stated that the capacity of the said plant is 68 H. P. It may be mentioned here that there is nothing in the written statement of the management regarding the capacity of the Coal Handling Plant. At a belated stage the management has filed two documents Exts. M-1 & M-2 to show that the Coal Handling Plant of Madhaipur Colliery is Mini Plant.

Considering the documents Exts. M-1 & M-2 read with oral testimony of Sri Amal Manan MW-1, I find nothing to disbelieve in the statement made by MW-1. So I find that the Coal Handling Plant (Screening Plant) of Madhaipur Colliery is below the capacity of 75 H.P. which comes under Category III.

6. It is admitted that by Order Ext. W-1 the workmen were allowed the benefit of Category IV without any formal order of promotion or upgradation. It has been contended from the side of the management that the said order was issued through mistake and the same was rescinded by a letter dated 10-12-82 (Ext. M-3) which reads as follows :—

Eastern Coalfields Limited.

Office of the Agent
Madhaipur Colliery

Dated, the 10th December, 1982

Ref. No. 1534/1826,

To
The Agent,
Madhaipur Colliery.
Dear Sir,

It is to inform you that the following employees are getting deference as per I/No. 1534/1183 dt. 14-10-82 of Manager, Madhaipur Colliery.

(1) Naresh Rajbhar H/Kh to C.H.P.O.

(2) Kamla Shaw ”

(3) Goutam Shaw ”

This may please be stopped immediately.

Yours faithfully,
Sd/- Illegible
Sr. Personnel Officer
Madhaipur Colliery.”

It may be mentioned here that there is nothing in the letter to show that the Office Order Ext. W-1 was issued through mistake. In Ext. M-3 it has been stated that the following employees—

“are getting difference of wages of Cat. IV in lieu of Cat. III”.

This clearly indicates that the concerned workmen were getting the wages of Category IV and the same was stopped by Ext. M-3.

7. The learned Lawyer for the union has urged before me that the service conditions of the concerned workmen were changed by the management unilaterally without giving any notice as required u/s 9-A of the Industrial Disputes Act, 1947 which reads as follows :—

“9-A. Notice of change—No employer, who proposes to effect any change in the conditions of service applicable to any workmen in respect of any matter specified in the Fourth Schedule, shall effect such change—

(a) without giving to the workmen likely to be affected by such change a notice in the prescribed manner of the nature of the change proposed to be effected; or

(b) within twenty-one days of giving such notice :

Provided that no notice shall be required for effecting any such change—

(a) where the change is effected in pursuance of any (settlement or award); or

(b) where the workmen likely to be affected by the change are persons to whom the Fundamental and Supplementary Rules, Civil Service (Classification Control and Appeal) Rules, Civil Services (Temporary Service) Rules, Revised Leave Rules, Civil Service Regulations, Civilians in Defence Services (Classification, Control and Appeal) Rules for the Indian Railway Establishment Code or any other rules or regulations that may be notified in this behalf by the appropriate Government in the official Gazette, apply.”

and the relevant portion of the Fourth Schedule of the Industrial Disputes Act, 1947 reads as follows :—

“THE FOURTH SCHEDULE

(See Sec. 9-A)

Conditions of service for change of which notice is given.

1. Wages, including the period and mode of payment”
By pointing out the same learned Lawyer of the union has also cited before me the case reported in Lab I.C. 1990 page 1349 and he has cited before me the book on “Law on Industrial Disputes” second edition by B. R. Baggi page 313 to show the effect of failure to give such notice.

Considering the position of law there cannot be any hesitation to hold that the condition of service cannot be changed without any notice u/s 9-A of the Industrial Disputes Act, 1947.

8. The learned Lawyer for the management has urged before me that the facts of the said cases are totally different from the present case and the principles laid down in that case cannot be made applicable in the instant case. With due respect to his contention I like to say that in the instant case he concerned workmen were getting the pay of Category IV and their appointment was confirmed by an office order Ext. W-1. The office order Ext. W-1 was rescinded by a letter Ext. M-3 without giving any intimation that the order Ext. W-1 was issued through mistake.

9. From the materials on record and the facts and circumstances, I find that the conditions of service of the workmen were changed in the instant case and it is admitted that no notice u/s 9-A of the Industrial Disputes Act was issued to the workmen before such change by Ext. M-3. So, I find that the management was not justified in denying Category IV wages to the concerned workmen w.e.f. 1985 as their service condition was not changed by serving notice u/s 9-A of the Industrial Disputes Act.

10. I find that the Coal Handling Plant of Madhaipur Colliery is a Mini Plant having a capacity of less than 75 H.P. which falls in Category III.

I further find that the service conditions of the concerned workmen were changed without any notice u/s 9-A of the Industrial Disputes Act. So they are entitled to get wages under Category IV till the service condition is changed after due notice u/s 9-A of the Industrial Disputes Act.

11. In the result I find that the action of the Management of Madhaipur Colliery of M/s. Eastern Coalfields Ltd., in denying Category IV wages to S/Shri Naresh Rajbhar, Kamla Shaw, Goutam Shaw C.H.P. Operators w.e.f. April, 1985 is not justified and the concerned workmen are entitled to get Category IV wages until and unless the service conditions is changed after serving notice u/s 9-A of the Industrial Disputes Act, 1947.

This is my award.

N. K. SAHA, Presiding Officer
[No. L-24012/151/87-D.IV(B)]

का.आ. 3374:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अडजाई-II यूनिट आफ गिरमिन्ट कॉलरी आफ मै. ईस्टर्न कोल फील्ड्स लि., पोस्ट चरनपुर (वर्दवान) के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण आसनसोल को पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-11-90 को प्राप्त हुआ था।

S.O. 3374.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Adjai-II, Unit of Girmint Colliery of M/s. E. C. Ltd., P.O. Charanpur, Distt Burdwan and their workmen, which was received by the Central Government on 20-11-90.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL ASANSOL

Reference No. 20/89

PARTIES :

Employers in relation to the Management of Adjai-II Unit of Girmint Colliery of M/s. Eastern Coalfields Ltd.

AND

Their Workman

APPEARANCES :

For the Employers.—Sri P. Banerjee, Advocate.

For the Workman.—Sri Bijoy Kumar, Joint Secretary of the Union.

INDUSTRY : Coal. STATE : West Bengal.

Dated, the 12th November, 1990

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them under Clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/(186)/88-D.IV.B dated 27-4-89.

SCHEDULE

"Whether the action of the Management of Adjai-II Unit of Girmint Colliery, Sripur Area of M/s. Eastern Coalfields Ltd., P.O. Charanpur, Distt. Burdwan in terminating the services of Sri Anil Dev. Lamo Chageman on the ground of superannuation w.e.f. 1-7-1988 was justified? If not, to what relief the workman concerned is entitled?"

2. To-day (12-11-90) Sri Bijoy Kumar, Joint Secretary of Koyla Mazdoor Congress Union for the workman has submitted that he has no instruction to proceed with the case. The concerned workman is also not present. Sri P. Banerjee the learned Advocate for the management is present.

3. As the learned representative of the union has no instruction from his client to proceed with the case, it must be presumed that no dispute exists between the parties.

As such I have no other alternative but to pass a 'no dispute' award in this case. Hence a 'no dispute' award is passed.

This is my award.

N. K. SAHA, Presiding Officer

[No. L-22012/186/88-D.IV(B)]

RAJALAL, Desk Officer

नई दिल्ली, 19 नवम्बर, 1990

का. आ. 3375:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार होंगकांग एण्ड शंघाई बैंकिंग कॉर्पोरेशन के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1 बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-11-90 को प्राप्त हुआ था।

New Delhi, the 19th November, 1990

S.O. 3375.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 1 Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the management of Hong Kong and Shanghai Banking Corporation and their workmen, which was received by the Central Government on 19-11-90.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

Reference No. CGIT-8 of 1990

PARTIES :

Employers in relation to the Management of Hongkong and Shanghai Banking Corporation.

AND

Their Workmen

APPEARANCES:

For the Management—Shri Pota, Advocate.

For the Workmen—Shri B. K. Hegde, Advocate.

INDUSTRY : Banking STATE : Maharashtra.

Bombay, dated 13th November, 1990

AWARD

The Central Government has referred the following industrial dispute to this Tribunal for adjudication under section 10 of the Industrial Disputes Act, 1947.

"Whether the action of the management of Hong Kong and Shanghai Banking Corporation in terminating the services of Shri S. P. Chandan with effect from 19-3-1988 is legal and justified? If not, to what relief the workman is entitled?"

2. The workman does not appear to be interested in prosecuting this matter. In the beginning his Advocate took five adjournments to file the statement of claim. Thereafter the written statement was filed by the Management on 5th July 1990. The workman's learned Advocate again took five adjournments to bring his evidence. Eventually on 5-10-90 a notice was issued to him that the matter would be decided in his absence, if he did not turn up on 9-11-90. This notice is duly served on him. On 9-11-90, the workman did not turn up. His learned Advocate Sri Hegde reported no instructions.

3. In the circumstances, I closed the proceedings on that day. In absence of any evidence I hold that the workman has failed to prove that termination of his services is illegal and unjustified. Consequently he cannot claim any relief. Award accordingly. No orders as to costs.

S. N. KHATRI, Presiding Officer

[No. L-12011/2/90-IR(Bank-I)]

नई दिल्ली, 22 नवम्बर, 1990

का. आ.3376;—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुमरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक, स्थानीय प्रधान कार्यालय, भद्रा, अहमदाबाद के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, अहमदाबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-11-90 को प्राप्त हुआ था।

New Delhi, the 22nd November, 1990

S.O. 3376.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the following award of the Industrial Tribunal Ahmedabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of State Bank of India, Local Head Office Bhadra, Ahmedabad and their workmen, which was received by the Central Government on 21-11-90.

ANNEXURE

BEFORE SHRI H. D. PANDYA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT AHMEDABAD

Reference (ITC) No. 18 of 1980

ADJUDICATION

BETWEEN

Management of State Bank of India, Local Head Office,
Bhadra, Ahmedabad—First Party.

AND

Their workmen—Second Party

In the promotion to Shri T. J. Purohit, Messenger.

AWARD

This is a reference made by the Government of India, Ministry of Labour, constituting Shri G. S. Barot as Presiding Officer, Industrial Tribunal, Ahmedabad u/s. 10(1)(d) of the Industrial Disputes Act, 1947, by their Order No. L-12012/171/79-D.I.A dt. 20-12-80 in respect of the following dispute which has stood transferred to me by appropriate orders issued by the Government in this behalf :

“Whether the action of the management of State Bank of India, Local Head Office, Bhadra, Ahmedabad in denying promotion to Shri T. J. Purohit, Messenger is justified? If not, to what relief and from what date the workman is entitled to?”

2. The State Bank of India and Subsidiary Banks Employees' Union, Ahmedabad, hereinafter referred to as 'the union' has filed statement of claim at ex. 2. In this statement of claim they have alleged that Shri Thanaram J. Purohit, was appointed in the service of the bank on 2-2-53 and he is a permanent employee of the First-Party Bank. On or about 27-4-67 the workman was transferred from Bombay to Ahmedabad. He was confirmed in the services of the bank on 1-8-53 as Hamal cum waterman and that due to double designation the workman has been working as Hamal, waterman and messenger since 1953 onwards. The workman was applying for his promotion as per practice prevailing in the bank. However no heed was paid. The union

also approached the bank for this purpose. However, the request was not granted. The workman has completed 28 years of service. In spite of this fact, he has been denied his seniority from the date of his initial appointment in the bank as granted to other workmen and promotion to next cadre also under one pretext or the other. The workman is an active member and trade union worker and so the bank was keeping rigid vigil and has denied the promotion to him. It is further alleged that the bank has promoted all the juniors ignoring the claim of Shri Purohit who is senior-most employee of the bank with 28 years of service. The bank has even promoted fifteen boys, domestic servants, etc. who have not been included in the promotional avenues. It is further alleged that the bank was promoting subordinate staff on the basis of departmental seniority maintained at each department and when Shri Purohit became due for promotion in that department he was arbitrarily transferred to other department in the same premises. Thus, the promotion which the workman ought to have got in the year 1967, could not get because either he was recklessly or deliberately transferred by the staff department. It is further alleged that he obeyed all the orders of transfer of the management without any kind of hesitation and that he reported at State Bank of India (S.B.I.), Laghu Udyog branch where he was transferred permanently even though this transfer which was on permanent basis, the bank disturbed him within a period of 47 days only and again he was transferred from there to State Bank of India, Region : III, Ahmedabad I.H.O. vide letter dt. 24-7-76. It is further alleged that Shri Purohit was senior-most in the branch seniority of S.B.I., Laghu Udyog Branch and he was entitled for promotion of either daffary or Naik and that he was deliberately transferred from there to deprive him from promotion and to accommodate the junior men who were domestic servants and watermen vice Shri Purohit. The union therefore made representation about the above facts but the bank did not pay any heed. They therefore approached the Labour Officer. However, no settlement was arrived at and therefore the Desk Officer referred the above dispute to the Industrial Tribunal of Shri G. S. Barot which was transferred to me subsequently for disposal according to law.

3. The First-Party bank has filed written statement at ex. 3 in which they denied the allegations made by the union in the statement of claim. They contended that Shri Purohit was originally appointed on 2-2-53 as waterman in the Imperial Bank of India, Bombay and that he was confirmed as waterman with effect from 1-8-53. Subsequently the waterman taking of Imperial Bank of India was transferred to and vested in State Bank of India and accordingly the employees of Imperial Bank of India became the employees of the State Bank of India. It is further contended that after the creation of a local head office of the bank at Ahmedabad, Shri Purohit applied for transfer to Ahmedabad and he was transferred to Ahmedabad. At that time the bank had reserved its right to transfer Shri Purohit elsewhere should the exigencies of service so warrant. Shri Purohit was never working as Hamal-cum waterman. It is further contended that there are various categories of workmen in the subordinate/ menial cadre employed by the bank such as drivers, sweepers, watermen, etc. All the above workmen are appointed in the subordinate cadre in the equal scale of pay but for further promotions, seniority in each category is taken into account. It is further contended that there is no practice in the bank to redesignate a waterman as messenger unless a request to that effect is made by the concerned employee and waterman remains a waterman till he retires from the bank as there is no promotion channel in the rank of waterman. As there was no scope for promotion in the rank of waterman in the bank Shri Purohit requested to re-designate him as messenger. The bank taking into account long service put in by Shri Purohit considered his request and he was promoted as messenger on 1-1-68 and confirmed as messenger on 1-5-69. Shri Purohit was not deprived of his right of promotion due to either inter department transfer or from local head office to Laghu Udyog branch. Employees junior to Shri Purohit have not been promoted as daffary and naik as alleged by him and that at no stage his seniority was superseded. As per the bank's policy Shri Purohit was promoted as lifman on 1-8-79 and further promoted to the post of daffary on 16-11-81 and so the bank demanded that the reference be dismissed.

4. The union has examined Shri Nanaram Jagtinaji at ex. 11. They have not examined any other witness. The bank has examined Virendra Kantilal at ex. 16. They have not examined any other witness.

5. The First-Party bank have submitted their written arguments. On the date of hearing of the arguments the union representative did not remain present. Even the workman did not remain present and so no one has argued the matter on behalf of the union.

6. Now most of the facts are not in dispute before me. They may briefly be stated as under : The workman Shri Purohit was originally appointed on 2-2-53 as a waterman in the Imperial Bank of India, Bombay and he was subsequently confirmed as waterman with effect from 1-8-53. Thereafter the undertaking of Imperial Bank of India was transferred and vested in State Bank of India and so employees of Imperial Bank of India became the employees of the State Bank of India. Thereafter on or about 16-12-66 Shri Purohit requested the bank to transfer him to Ahmedabad and so his request was considered and he was accordingly transferred to Ahmedabad. Thereafter Shri Purohit was promoted as messenger on probation on 1-11-68. Thereafter he was confirmed as messenger with effect from 1-5-69. Thereafter he was transferred from one branch to another. Thereafter Shri Purohit was promoted as liftman on or about 1-8-79 and thereafter he was promoted as daftary on 16-1-81.

7. Now it is alleged by the union that Shri Purohit was transferred from one branch to another and that is so he was deprived from promotion. It was further alleged that he was transferred from one branch to another in order that his juniors may get promotion and that after he was transferred from one branch to another his juniors were promoted and Shri Purohit was deprived from the benefit of promotion. They have further alleged that Shri Purohit was denied promotion. They have therefore raised the above industrial dispute. The bank has denied the above allegation of the union.

8. In view of the above allegation of the union the question which arises for determination is whether Shri Purohit was denied promotion at any time and that whether he is entitled to any relief.

9. In my opinion the union has not established that Shri Purohit was denied promotion at any time by the bank for the reasons stated hereunder and therefore the union is not entitled to any relief whatsoever.

10. Now as stated hereinabove the workman Shri Purohit was originally appointed on 2-2-53 as a waterman in Imperial Bank of India at Bombay. Thereafter he was confirmed as waterman with effect from 1-8-53. Thereafter the undertaking of Imperial Bank of India was transferred and vested in State Bank of India and so all the employees of the Imperial Bank of India became the employees of the State Bank of India. Thereafter Shri Purohit gave application on or about 16-12-66 requesting to transfer him to Ahmedabad and his request was granted and he was transferred to Ahmedabad. The above facts were admitted even by Shri Purohit in his cross examination. Now the union has made an attempt to show in their statement of claim at ex. 2 that Shri Purohit was taken up in the services of the bank as Hamal-cum-waterman and that his services were confirmed as such with effect from 1-5-69. As stated earlier Shri Purohit was initially appointed as waterman and he was confirmed as waterman and thereafter he was transferred as waterman to Ahmedabad. Now it has come in evidence that a waterman does not get any promotion during his service and he retires as waterman. It appears that facing this difficulty the union has come with a case that Shri Purohit was appointed as hamal cum waterman and that he was confirmed as such. However as stated earlier Shri Purohit was appointed as waterman and he was even confirmed as waterman in service. Therefore Shri Purohit could not get any promotion during his service as he was serving as waterman. However, the bank took the long service of Shri Purohit into account and promoted him as messenger on probation on or about 1-11-68. He was confirmed as messenger on or about 1-5-69. Even thereafter Shri Purohit

was promoted as liftman on or about 1-8-79 and thereafter he was promoted as daftary on 16-1-81. It is evident from the above that inspite of the fact that Shri Purohit was serving as waterman and therefore he was not entitled to any promotion at any time whatsoever the bank after taking into consideration his long service he was promoted as messenger and thereafter as liftman and thereafter as daftary.

11. However the union has tried to show that the bank has transferred Shri Purohit from one branch to another branch with a view that he may be deprived of his promotion and that his junior may get promotion and that the bank has promoted his juniors. Now the bank has denied the above allegation of the union. Now it is true that Shri Purohit has been transferred from one branch to another. However, merely because he was transferred from one branch to another it cannot be said that he was transferred from one place to another place with ulterior motive that he may not get promotion or that his junior may get promotion. As stated earlier Shri Purohit was a waterman and he was not entitled to any promotion whatsoever during his service. In spite of this fact he was promoted as messenger in the year 1968 and thereafter he was promoted as liftman and thereafter as daftary itself shows that the bank had no intention whatsoever not to promote Shri Purohit. Therefore the allegation which is made by the union is without any merit and so it is to be rejected. Thus there is no merit in the above allegation of the union and therefore it is rejected.

12. Thus it is evident from the above discussion that Shri Purohit was promoted as messenger and thereafter as liftman and thereafter as daftary inspite of the fact that he was not entitled to any promotion whatsoever as he was serving as waterman and therefore it cannot be said that the bank has denied any promotion to Shri Purohit. In view of the above the union has not established that Shri Purohit was denied any promotion as the union has not proved that Shri Purohit is in fact denied the promotion. Therefore the union is not entitled to the reliefs which are claimed by them. In view of the above there is no merit in the above reference of the union and so they have to be rejected. I therefore pass the following order.

ORDER

The demand is rejected. The reference is dismissed. No order as to costs.

Ahmedabad :

Dated : 12-10-90.

H. D. PANDYA, Presiding Officer
[No. L-12012/171/79-D. II(A)]

नई दिल्ली, 23 नवम्बर, 1990

का. मा. 3377—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कोलार ग्रामीण बैंक, कोलार के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, श्रम न्यायलय, बंगलौर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-11-90 को प्राप्त हुआ था।

New Delhi, the 23rd November, 1990

S.O. 3377.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal cum Labour Court Bangalore as shown in the Annexure in the industrial dispute between the employers in relation to the management of Kolar-Gramin Bank, Kolar and their workmen, which was received by the Central Government on 22nd November, 1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT AT BANGALORE

Dated 16th day of November, 1990

Central Reference No. 38/90

I PARTY :

Shri Y. N. Narasimhappa
S/o Shri Narasappa
R/o Yellodu Village
Choutukuntahalli Post,
Gudibanda Taluk
KOLAR 563101.

Vs.

II PARTY :

The Chairman
Kolar Gramin Bank
P. B. No. 5,
KOLAR 563101.

APPEARANCES :

For the I party—Shri V. Sakshminarayana, Advocate.

For the II party—Shri P. S. Sawkar, Advocate.

AWARD

By exercising its powers under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947, the Government of India (Ministry of Labour) has made the present reference vide its Order No. L-12011/10/90-IR(B-I)/III dated 25th May, 1990 on the following point of dispute.

POINT OF REFERENCE

"Whether the action of the management of Kolar Gramin Bank, Addagal, in discontinuing the services of Shri Y. N. Narasimhappa, part-time messenger/sweeper vide their letter No. ADD/FKGB/49/85 dated 11th December, 1985 is justified? If not, to what relief the workman is entitled and from which date?

2. The I party has filed the claim statement.

3. The II party was granted time to file the counter statement.

4. Subsequently both the parties have filed Joint Memo signed by both the parties and counsel entering into a compromise.

5. I have carefully gone through the Joint Memo signed by both the parties and both the counsel. The compromise entered into between parties is fair and reasonable and beneficial to both the parties.

6. In accordance with the compromise, the II party shall appoint the I party as permanent employee (full time) afresh with effect 1st December, 1990 or the date he reports, whichever is later. Separate order to this effect containing the post, i.e., full time messenger-cum-sweeper, place of posting and salary shall be issued. The I party shall comply with the formalities regarding production of testimonials etc.

7. There shall be an award as stated herein. Ordered accordingly. Six copies of the joint memo are also sent herewith to Government.

(Dictated to the Stenographer, taken down by her, got typed and corrected by me).

M. B. VISHWANATH, Presiding Officer
[No. L-12011/10/90-IR(B-I)/III]

BEFORE THE PRESIDING OFFICER, CENTRAL GOV-
ERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, BANGALORE

C. Ref. No. 38 of 1990

I PARTY :

Y. N. Narasimhappa.

-Vs.-

II PARTY :

M/s. Kolar Gramin Bank.

JOINT MEMO

The parties above named beg to submit as follows :

1. The First Party was engaged as a part time Messenger/Sweeper on casual basis and his services were discontinued with effect from 2nd December, 1985. In the above reference the management is called upon to justify its action in terminating/discontinuing the services of the I party. Subsequent to the order of reference the I Party has approached the II Party for a negotiated settlement. The parties have thereafter mutually discussed and have arrived at a settlement, the terms of which are contained herein.

(a) The I Party hereby gives up his claim for reinstatement, back wages, consequential benefits and all other benefits whatsoever connected with his employment in the II Party as part time Messenger/Sweeper.

(b) In consideration of the above, the management hereby agrees to appoint the I Party as permanent employee (full time) afresh with effect from 1st December, 1990 or date he reports, whichever is later. Separate order to this effect containing the post i.e. of full time messenger-cum-sweeper, place of posting and the salary will be issued in this behalf and the I party agrees to accept this in full and final settlement of all his claims whatsoever.

(c) The I Party further agrees to fulfil other formalities regarding appointment like production of testimonials, execution of good conduct certificate, etc.

In view of the above the parties submit that the settlement is fair and bonafide and hence an Award be passed in terms of the settlement disposing off the reference accordingly.

Bangalore,

Dated : 15-10-1990.

Sd/-

Advocate for I Party.

Sd/-

Advocate for II Party.

Sd/-

Y. N. NARASIMHAPPA, I Party.

Sd/-

(GENERAL MANAGER)

KOLAR GRAMINA BANK, II Party

का. आ. 3378.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार कोलार ग्रामीण बैंक, कोलार के प्रबंधन से सम्बन्धित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण व श्रम न्यायालय बंगलौर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-11-90 को प्राप्त हुआ था।

S.O. 3378.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-cum-Labour Court, Bangalore, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Kolar Gramin Bank, Kolar and their workmen, which was received by the Central Government on 20th November, 1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT BANGALORE

Dated, 16th Day of November, 1990

Central Reference No. 68/89

I PARTY :

Shri H. Balasubramaniam
C/o J. R. Pappanna
Retired Revenue Inspector
No. 958 Vitaleswarapalya
Mulbagal Taluk
District Kolar.

VS.

II PARTY :

The Chairman,
Kolar Gramin Bank
Head Office
2946 New Extension
Kolar-563101.

APPEARANCES :

For the I party—Shri V. Lakshminarayana, Advocate.

For the II party—Shri P. S. Sawkar, Advocate.

AWARD

In this reference made by the Hon'ble Central Government by exercising its powers under Section 10(1)(d) and (2A) of the I.D. Act 1947, the point referred for adjudication according to the schedule is :

POINT OF REFERENCE

“Whether the action taken by the management of Kolar Gramin Bank in discontinuing Shri H. Balasubramaniam, part time messenger-cum-sweeper from services is justified? If not, to what relief he is entitled to?”

2. The Order of Reference No. is L-12011/43/89-I.R. Bank-I, dated 27th September, 1989.

3. The I party has filed the claim statement.

4. The II party was granted time to file the counter statement.

5. Subsequently both the parties have filed Joint Memo signed by both the parties and counsel entering into a compromise.

6. I have carefully gone through the Joint Memo signed by both the parties and both the counsel. The compromise entered into between parties is fair and reasonable and beneficial to both the parties.

7. In accordance with the compromise, the II party shall appoint the I party as permanent employee (full time) afresh with effect from 1st December, 1990 or the date he reports, whichever is later. Separate order to this effect containing the post, i.e., full time messenger-cum-sweeper, place of posting and salary shall be issued. The I party shall comply with the formalities regarding production of testimonials etc.

8. There shall be an award as stated herein. Ordered accordingly. Six copies of the joint memo are also sent herewith to Government.

(Dictated to the Stenographer, taken down by her, got typed and corrected by me).

M. B. VISHWANATH, Presiding Officer.
[No. 12011/43/89-IR(Bank)-I]

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

C. Ref. No. 68 of 1989

I PARTY :

H. Balasubramanyam.

Vs.

II PARTY :

M/s. Kolar Gramin Bank.

JOINT MEMO

The parties abovenamed beg to submit as follows :—

1. The First Party was engaged as a part time Messenger/Sweeper on casual basis and his services were discontinued with effect from 12th September, 1985. In the above reference the management is called upon to justify its action in terminating/discontinuing the services of the I Party. Subsequent to the order of reference the I Party has approached the II Party for a negotiated settlement. The parties have thereafter mutually discussed and have arrived at a settlement, the terms of which are contained herein :

(a) The I Party hereby gives up his claim for reinstatement, backwages, consequential benefits and all other benefits whatsoever connected with his employment in the II Party as part time Messenger/Sweeper.

(b) In consideration of the above, the management hereby agrees to appoint the I Party as permanent employee (full time) afresh with effect from 1st December, 1990 or date he reports, whichever is later. Separate order to this effect containing the post i.e. of full time messenger-cum-sweeper, place of posting and the salary will be issued in this behalf and the I Party agrees to accept this in full and final settlement of all his claims whatsoever.

(c) The I Party further agrees to fulfil other formalities regarding appointment like production of testimonials, executions of good conduct certificate; etc.

In view of the above the parties submit that the settlement is fair and bonafide and hence an Award be passed in terms of the settlement disposing off the reference accordingly.

Bangalore,

Dated : 15-10-1990.

Sd/-
Advocate for I Party.

Sd/-
Advocate for II Party.

Sd/-
(H. Balasubramanyam)
I PARTY)

Sd/-
(General Manager)
Kolar Gramin Bank
II PARTY

का. मा. 3379.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार करूर वैश्य बैंक लि., करूर, के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बनाम न्यायालय बंगलौर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-11-90 को प्राप्त हुआ था।

S.O. 3379.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal cum Labour Court Bangalore as shown in the Annexure in the industrial dispute between the employers in relation to the management of Karur Vysya Bank Ltd. Karur and their workmen, which was received by the Central Government on 22-11-1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR COURT AT BANGALORE DATED 19TH NOVEMBER, 1990.

Central Reference No. 49/90.

I PARTY

The General Secretary Karur Vysya Bank Employees Union Avenue Road, BANGALORE.

VS.

II PARTY

The Chairman Karur Vysya Bank Ltd., Jawahar Bazar, KARUR 649 001.

APPEARANCES

For the I Party Shri V. Krishnamurthy, General Secretary of Employees Asso.

For the II Party Shri B. C. Prabhakar Advocate.

AWARD

The General Secretary of the I Party Union which represents the workmen files a memo on 16-11-1990. Shri B. C. Prabhakar for the II party also files Memo. Prayer in both the memoranda is same. It is clear that the matter involved in the present reference is pending before Central Government Industrial Tribunal, Madras. Both the General Secretary of the I Party Employees' Union and the learned counsel for the II party submit that the reference is under progress in the Central Government Industrial Tribunal at Madras. In the Memoranda they have therefore prayed that the present reference in this Tribunal be closed. As desired by both the parties, the matter is closed. Reference is rejected, without prejudice to the rights of the Parties in the reference before the Hon'ble Central Government Industrial Tribunal, Madras. Ordered accordingly.

(Dictated to the Stenographer, taken down by her, got typed and corrected by me).

M. B. VISHWANATH, Presiding Officer.

[No. L-12011/17/86-D. IV (A)/IR-B. I/III]

S. C. SHARMA, Desk Officer.

नई दिल्ली, 19 नवम्बर, 1990

का. आ. 3380.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आर्किओलोजिकल सर्वे ऑफ इण्डिया के प्रबन्धतंत्र के संबंध निर्योजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली, के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-90 को प्राप्त हुआ था।

New Delhi, the 19th November, 1990

S.O. 3380.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in

the industrial dispute between the employers in relation to the management of Archaeological Survey of India and their workmen, which was received by the Central Government on 16-11-90.

ANNEXURE

BEFORE SHRI GANPATI SHARMA PRESIDING OFFICER: CENTRAL GOVT. INDUSTRIAL TRIBUNAL: NEW DELHI

I.D. No. 122/89

In the matter of dispute between :

Shri Asrak Ali S/o. late Sh. Takim Munkai Ali, 2193, M.P. Street, Uncha Chelan, Daryaganj, New Delhi-110003.

Versus

The Director General, Archaeological Survey of India, Janpath, New Delhi-110001.

APPEARANCES:

Nene—for the workman.

Shri J. N. Khera—for the Management.

AWARD

The Central Government in the Ministry of Labour vide as order No. L-42012/137/88-D-2(B) dated nil has referred the following industrial dispute to this Tribunal for adjudication:

"Whether the action of the Director General, Archaeological Survey of India in terminating the services of Asrak Ali Smarak Attendant, Lal Qila, Delhi is legal and valid? If not, to what relief the workman is entitled to?"

2. The workman in this case did not appear inspite of notice having been sent to him by registered A.D. for 24/7, 4/9 and 29/10. On 29-10-90 the workman appeared in person and stated that he would file his statement of claim on 30-10-90. On 30th he again did not appear nor filed any statement of claim. It appears that the workman is not interested in proceeding further with this case and there is no claim of the workman which he wants to get adjudicated from this court. In the absence of any statement of claim and the workman I pass No dispute award in this case. 30th October, 1990.

GANPATI, SHARMA, Presiding Officer
[No. L-42012/137/88-D.II(B)(Pt.)]

Note :—Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

30th October, 1990.

नई दिल्ली, 21 नवम्बर, 1990

का. आ. 3381.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सीनियर सुपरिन्टेंडेंट आफ पोस्ट आफिस, कोटा के प्रबन्धतंत्र के संबंध निर्योजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, कोटा के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-11-90 को प्राप्त हुआ था।

New Delhi, the 21st November, 1990

S.O. 3381.—In pursuance of Section 17 the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Kota as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sr. Supdt. of Post office, Kota and their workmen, which was received by the Central Government on 20-11-90.

परिशिष्ट

न्यायाधीश, औद्योगिक न्यायाधिकरण, कोटा/राजस्थान
निर्देश प्रकरण क्रमांक : ओ. न्या. रे. (केन्द्रीय) - 15/1989
दिनांक स्थापित : 3-11-89

प्रसंग : भारत सरकार, श्रम मंत्रालय के आदेश क्रमांक
एल 40012/11/89/डो-2 (बी) दिनांक 23-10-89
औद्योगिक विवाद अधिनियम, 1947
मध्य

असिस्टेंट सेक्रेटरी, अखिल भारतीय डाक कर्मचारी यूनियन
तृतीय श्रेणी एंड ई. डी. कोटा।

— प्रार्थी यूनियन

एवं

सीनियर सुपरिन्टेन्डेंट आफ पोस्ट आफिस भीमगंज मंडी,
कोटा।

— प्रतिपक्षी नियोजक

उपरिस्थित

श्री जगदीश प्रसाद,
आर. एच. जे. एम.

प्रार्थी यूनियन की ओर से प्रतिनिधि : श्री भगवान सिंह (श्रमिक स्वयं
प्रतिपक्षी नियोजक की ओर से प्रतिनिधि : श्री एम. पी. चौरसिया
(परिवाद निरीक्षक)

अधिनियम दिनांक : 16 अक्टूबर, 1990

अधिनियम

भारत सरकार, श्रम मंत्रालय द्वारा निम्न निर्देश औद्योगिक
विवाद अधिनियम, 1947 (जिसे तदुपरान्त अधिनियम, 1947
के नाम से संबोधित किया जावेगा) की धारा 10(1) (घ)
एवं उपधारा (2-क) के अन्तर्गत इस न्यायाधिकरण को
अधिनियमार्थ सम्प्रेषित किया गया है :—

"Whether the action of Sr. Superintendent of Post
Offices in transferring Shri Bhagwan Singh, Ac-
countant and Asstt. Secretary of Akhil Bhartiya Dak
Karamchhari Union Tratiya Sheram and E.D., Kota
from Kota to Jhalawar to justified? If not, to
what relief the workman is entitled to?"

2. निर्देश न्यायाधिकरण में प्राप्त होने पर सर्वे रजिस्टर
किया गया व पक्षकारों को नोटिस जारी किये गये। आज यह
पक्षावली वास्ते पेण होने स्टेटमेंट आफ क्लेम प्रार्थी श्रमिक
नियत है। प्रार्थी श्रमिक भगवान सिंह स्वयं उपस्थित हुआ तथा
प्रतिपक्षी नियोजक की ओर से प्रतिनिधि के रूप में श्री एम.
पी. चौरसिया परिवाद निरीक्षक उपस्थित हुआ। प्रार्थी श्रमिक
ने प्रकट किया कि वह स्वयं इस निर्देश के बाबत कोई जॉय
नहीं देता है और आगे कार्यवाही नहीं चलाना चाहता है तथा
विवाद समाप्त किये जाने का निवेदन करता है। अतः स्वयं

श्रमिक प्रार्थी के उक्त कथन के आधार पर इस प्रकरण में
कोई कार्यवाही नहीं चाहने से "विवाद रहित अधिनियम"
पारित किया जाता है।

इस अधिनियम को भारत सरकार, श्रम मंत्रालय को
नियमानुसार प्रकाशितार्थ भिजवाया जावे।

जगदीश प्रसाद, न्यायाधीश
[सं. एल - 40012/11/89/डो - II (बी) (भाग)]

का. मा. 3382 :—औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय
सरकार रेलवे विद्युतिकरण कोटा के प्रबंधन में संबद्ध नियो-
जकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्यो-
गिक विवाद में औद्योगिक अधिकरण, कोटा के पंचपट को
प्रकाशित करती है, जो केन्द्रीय सरकार को 20-11-90 को
प्राप्त हुआ था।

S.O. 3382.—In pursuance of Section 17 of the Industrial
Disputes Act, 1947 (14 of 1947), the Central Government
hereby publishes the award of the Industrial Tribunal, Kota
as shown in the Annexure, in the industrial dispute between
the employers in relation to the management of Railway
Electrification Kota and their workmen, which was received
by the Central Government on 20-11-90.

परिशिष्ट

न्यायाधीश, औद्योगिक न्यायाधिकरण, कोटा/राजस्थान
निर्देश प्रकरण क्रमांक : ओ. न्या. रे. (केन्द्रीय)-5/1989
दिनांक स्थापित : 1-6-89

प्रसंग : भारत सरकार, श्रम मंत्रालय के आदेश क्रमांक
एल - 41011/3/88-डो-2 (बी) दि. 20-3-89
औद्योगिक विवाद अधिनियम, 1947

मध्य

डिवीजनल सेक्रेटरी, पश्चिम रेलवे कर्मचारी परिषद, कोटा।

— प्रार्थी यूनियन

एवं

1- मुख्य परियोजना प्रबंधक, रेलवे विद्युतिकरण, कोटा

2- कार्यपालक इंजीनियर रेलवे विद्युतिकरण, कोटा

— प्रतिपक्षीय नियोजक

उपरिस्थित

श्री जगदीश प्रसाद,
आर. एच. जे. एम.

प्रार्थी यूनियन की ओर से प्रतिनिधि : श्री ए. जी. रायर
प्रतिपक्षीय नियोजक की ओर से : श्री आर. एन. सत्यनारा
अधिनियम दिनांक : 16 अक्टूबर, 1990

(अधिनियम)

भारत सरकार, श्रम मंत्रालय द्वारा निम्न निर्देश औद्योगिक
विवाद अधिनियम, 1947 की धारा 10(1) (घ) एवं उपधारा
(2-क) के अन्तर्गत इस न्यायाधिकरण को अधिनियमार्थ
संप्रेषित किया गया है :—

“क्या कार्यपालक इंजीनियर रेलवे विद्युतिकरण, कोटा की आई. ओ. डब्ल्यू. आर. ई. कोटा के अधीन सर्वश्री शिलाकांत मिश्रा, श्याम नारायण और राम आशीष को अस्थायी हैसियत न देने की कार्यवाही न्यायोचित है? यदि नहीं तो ये कर्मकार किस अनुतोष के हकदार हैं?”

2. निर्देश न्यायाधिकरण में प्राप्त होने पर दर्ज रजिस्टर किया गया व पक्षकारों को नोटिस जारी किये गये।

3. आज यह प्रकरण वास्तव में पेश होने वस्तावेज व साक्ष्य श्रमिक यूनियन नियत है, परन्तु श्रमिक प्रतिनिधि श्री ए. डी. ग्रीवर ने उपस्थित होकर प्रकट किया कि प्रतिपक्षी नियोजक द्वारा निर्देश से वांछितानुसार श्रमिकगणों को अस्थायी हैसियत दे दी गई है इस कारण वे कोई साक्ष्य पेश नहीं करना चाहते हैं व निर्देश के बावजूद कोई जोर नहीं देने हैं। अतः श्रमिक प्रतिनिधि के उक्त कथन के आधार पर कोई विवाद शेष नहीं रहने से इस प्रकरण में “विवाद रहित अधिनियम” पारित किया जाता है।

इस अधिनियम को भारत सरकार, श्रम मंत्रालय को नियमानुसार प्रकाशनार्थ भिजवाया जावे।

जगदीश प्रसाद, न्यायाधीश

[सं. एल - 41011/3/89 - डी II (बी) (भाग)]

का. आ. 3383 औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार साउथ ईस्टर्न रेलवे के प्रबंधन के संबंध में नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1 धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-11-90 को प्राप्त हुआ था।

S.O. 3383.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1 Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of South Eastern Railway and their workmen, which was received by the Central Government on 20-11-90.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 DHANBAD

In the matter of a reference under sec. 10(1)(d) of I.D. Act. Reference No. 17 of 1990

PARTIES :

Employers in relation to the management of South Eastern Railway.

AND

Their Workmen

APPEARANCES:

For the Employers—Shri N. C. Mallick, Advocate.

For the Workmen—None.

STATE : Bihar

INDUSTRY : Coal.

Dated, the 9th November, 1990

AWARD

By Order No. L-41012/14/80-D.II(B), dated 10-5-90, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of South Eastern Railway in combining the Seniority lists of Ministerial and non-Ministerial Clerks in the scale of Rs. 80—200 (PS) was justified? If not to what relief Shri K. Balakrishna Pillai, Non-ministerial Clerk is entitled?”

2. The order of reference to the industrial dispute was received in the office of this Tribunal on 30-5-90. Despite specific direction in the order of reference neither the concerned workman nor the sponsoring union, South Eastern Railwaymen's Congress, Ranchi Branch, appeared and filed statement of claim with supportive documents. In the circumstances, notice was issued directing the sponsoring union to appear and file written statement and supportive documents. The management was also directed to appear and take step. In response to the notice the management appeared but neither the concerned workman nor the sponsoring union appeared. Hence, I am constrained to hold that neither the sponsoring union nor the concerned workman is interested in prosecuting the present industrial dispute.

3. Accordingly, I pass a ‘no dispute’ award in the present reference case.

This is my award.

S. K. MITRA, Presiding Officer.
[No. L-41012/14/80-D.II(B)(Pt.)]

का. आ. 3384 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार उक्त अधिनियम की धारा 33क के अंतर्गत शांतिनियम प्रोजेक्ट, कोरापुट के प्रबंधन के विरुद्ध श्री सुकुमार चौधरी द्वारा दायर एक प्रार्थना पत्र के संबंध में औद्योगिक अधिकरण भुवनेश्वर के पंचपट को प्रकाशित करती है, जो कि केन्द्रीय सरकार को 20-11-90 प्राप्त हुआ।

S.O. 3384.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Industrial Tribunal, Bhubaneswar in respect of a complaint u/s. 33A of the said Act filed by Sh. Sukumar Choudhury against the management of Dandakaranya Project, Koraput which was received by the Central Government on 20-11-90.

ANNEXURE

INDUSTRIAL : TRIBUNAL : ORISSA BHUBANESWAR:
Industrial Dispute MISC. Case No. 1 of 1990(C)
(U/S 33-A)

Dated, Bhubaneswar, the 6th November, 1990

Sri Sukumar Choudhury,
S/o : Binod Choudhury,
Vill : MV-19, Saradapalli,
P.O. Saradapalli, Dist : Koraput. ...COMPLAINANT

WORKMAN

VRS

1. The Chief Administrator,
Dandakaranya Project,
At/P.O./Dis : Koraput

2. The Executive Engineer (Construction),
Dandakaranya Project,
At/P.O./Dist: Koraput

...OPPOSITE PARTIES
MANAGEMENT.

APPEARANCES :

None—For both parties.

AWARD

This case was posted to be heard today. Both parties are absent.

2. The petition dated 24-9-90 sent by the complainant-workman Sri Sukumar Choudhury is received. It has been stated in the petition that the complaint he had made in the application u/s. 33-A of the Industrial Disputes Act has been considered by the Dandakaranya Development Authority and he has been reinstated in service without any back wages with effect from 2-5-90. Copy of the office order dated 2-5-90 passed by the Government of India, Dandakaranya Development Authority is enclosed to the petition which reveals that the applicant-workman who is a semi-skilled N.M.R. worker of Malkangiri was asked to report to duty to the Junior Engineer, Malkangiri immediately.

3. It seems, the workman Sri Choudhury has already joined his duties. He specifically prayed that the proceeding u/s. 33-A of the Industrial Disputes Act be closed.

In the circumstance, the Misc. case is dismissed. An Award is passed accordingly.

Dictated & corrected by me.

S. K. MISRA, Presiding Officer
(F. No. L-13012/2/90-IR(D.U.))

का. आ. 3385:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पोस्ट मास्टर जनरल अहमदाबाद के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण अहमदाबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-11-90 को प्राप्त हुआ था।

S.O. 3385.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Ahmedabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Post Master General Ahmedabad and their workmen, which was received by the Central Government on 19-11-90.

ANNEXURE

BEFORE SHRI H. R. KAMODIA, PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, AHMEDABAD

Ref. (ITC) No. 15 of 1988

ADJUDICATION :

BETWEEN

Postmaster General,
Ahmedabad.

AND

The workmen employed under it.

In the matter of promotion of Shri B. C. Desai with effect from 30-11-1983.

APPEARANCES :

Shri Z. K. Saiyed, Advocate,—for the first party.

Shri B. C. Desai concerned workman, in person—for the second party.

AWARD

An industrial dispute between the aforesaid parties was referred u/s. 10(1)(Q) of the Industrial disputes Act, 1947 for adjudication to the Industrial Tribunal, Ahmedabad by the Government of India, Ministry of Labour, New Delhi under Order No. L-40012/3-86-D.II(B) dated 25th March, 1988. This matter was initially conducted by Shri S. J. Sheth a member of the Industrial Tribunal. Thereafter under an appropriate order it has come to this Tribunal for adjudication. The industrial dispute relate to the question

whether the Post Master General, Ahmedabad and S. S. R.M.S.A.M. Division, Ahmedabad are justified in not promoting Shri B. C. Desai with effect from 30-11-1983 and if not what relief the concerned workman is entitled to. The sponsoring union has submitted its statement of claim at Ex. 3 wherein it has inter alia contended that Shri B. C. Desai has completed 27 yrs. of service. His promotion was withheld by three months whereas other 500 employees were promoted from 30-11-1983, after completing 16 yrs. of service. He was served with a memo or a charge sheet and thereafter he was punished by withholding his promotion for 3 months from the date it had become due. The charges on which his promotion was withheld are so trivial and baseless that his promotion cannot be withheld especially when as many as 500 employees were promoted. It was alleged that he had refused to report for OT duty and that in a complaint made by him he has used allegatory language. These two charges were held to be proved and so he was punished. He was a union leader and he took active part in union activities. As many as 14 instances are quoted relating to effective part he had taken in union activity. It is, therefore, alleged that this was the main reason for withholding the above promotion to him. He was not given any opportunity to defend himself. Hence it is prayed by the sponsoring union that the punishment awarded to Shri Desai should be quashed but at the same time directing the authority to give him promotion on the due date.

2. The first party has resisted the statement of claim by its written statement Ex. 6 wherein it has inter alia contended that the demand of the second party is illegal. This Tribunal has got no justification to hear and decide the Industrial Tribunal because of the establishment of Central Administrative Tribunal. The case of non-promotion of Shri Desai on due date is as a result of the decision taken by the departmental promotion committee. His case was duly considered by the departmental promotion committee. His case was considered as unfit on the basis of his record of service of last 5 yrs. A departmental enquiry was instituted against him for failure to attend and perform OT duty in RP Stg. Office, Maninagar on 20-7-1983 as ordered by the Sr. Record Officer. Shri Desai had lodged a false complaint against the held sorting assistant. The departmental enquiry stood terminated on 12-12-1983 under an order whereby he was punished by withholding his promotion for 3 months from the date it become due. Shri Desai had preferred an appeals before the authorities which were rejected. It has not admitted that he has been punished for his past union activity. Therefore on these grounds it has prayed to dismiss the reference with cost.

3. It appears from the record that the preliminary issue regarding the jurisdiction of the Tribunal to hear and decide this Industrial dispute in view of the establishment of Administrative Tribunal was heard. The said preliminary issue was decided against the first party under order at Ex. 5. It also appears from the record that the second party wanted to challenge that order. But then, it has not produced anything to show that it has already approached an appropriate forum for challenging that order with the result that the aid order has become final and conclusive so far as the present matter is concerned.

4. In the instant case the parties have not adduced any oral evidence. The second party has submitted its written arguments at Ex. 13 and so this will go to show that the second party was not inclined to adduce any oral evidence. Similarly, the learned advocate for the first party has also filed his written arguments at Ex. 23, which would mean that it has also decided not to adduce any oral evidence. I have therefore to take into consideration the written arguments submitted by the parties besides the documentary evidence on the record.

5. In such a case the Tribunal has first to decide whether the rules of natural justice were followed besides the compliance with the procedure prescribed in the matter of holding of a departmental enquiry against the concerned employee. Unfortunately, the first party has not adduced any oral evidence to prove that the procedure has been followed and that the rules of natural justice were also followed

before the departmental enquiry was decided by pronouncing an order of punishment. Ex. 20 is a copy of the charge. It is not necessary to reproduce its contents because that will be necessary at the stage when this Tribunal makes an attempt to decide whether or not the charge can be said to have proved, as a result to appreciate or oral as well as documentary evidence on the record. Ex. 21 is a copy of the punishment order. Ex. 22 is an order of Director of Postal Service, Ahmedabad rejecting the appeal preferred by Shri Desai. Ex. 23 is an order passed by the Post Master General, Ahmedabad allowing one time bound promotion to Shri Desai with effect from 12-3-1989 in the scale of Rs. 425-640. However, the punishment awarded to him was not disturbed. Ex. 24 is the copy of the order by Ministry of Communication whereby the petition of Shri Desai was rejected by the President of India. These are therefore the documents on the record. Ex. 21 is important for the purpose of deciding whether or not the departmental enquiry was conducted in accordance with the rules in force and whether the principles of natural justice were followed. A bare perusal of Ex. 21 will go to show that no oral evidence was recorded in the departmental enquiry. At the same time the statement of Shri Desai was not recorded nor he was given any opportunity to examine himself and also to examine his witnesses if any. It appears that whole enquiry was decided on the basis of the report of BSA, RP to the effect that Shri Desai had refused to perform of duty though he was ordered to do so. It appears that Shri Desai had submitted a complaint against Shri L. R. Trivedi, HSA, RP on the very same day, wherein it is alleged that he had used offensive language. So the use of offensive language was the other charge levelled against him. Thus the two charges were levelled against him. Ex. 21 shows that Shri Desai submitted a representation on 31-10-1983 followed by a statement on 26-11-1983. He had complained that he was not supplied with all the documents demanded by him in his defence and he was only allowed limited scope of reasonable opportunity. The authority has observed that he had carefully gone through the memo of charges and the representation submitted by Shri Desai and other relevant papers. He has also observed that Shri Desai was allowed to inspect the relevant documents in Divisional office and so he was given a chance for further representation. Thus the copies were never supplied to Shri Desai. He has denied that he had refused to perform OT duty. It was his contention that Head Sorting Assistant had given in writing to SRO not to post him on OT duty in his set as he disobeyed his order to prepare illegal R.Bs. By his complaint dt 20-7-1983 he wanted to bring to the notice of SSRP, that SRO Maninagar and HAS RP managed the work of the department unlawfully and so he wanted it to be checked up. He had no intention to spoil the work of RP. Thus he had not admitted the charge. Hence it was necessary for the department to record the statements of the witnesses and to offer them to Shri Desai for cross-examination. As against the word of the officer filing a complaint there was equal an emphatic denial of Shri Desai. Hence it was not proper to accept the version of the officer who had complained against Shri Desai. His version in the complaint was required to be tested by offering him in cross-examination by Shri Desai. That opportunity was not given. If he was examined and if an opportunity was given to Shri Desai to cross-examine him he would have elicited useful information and admissions ending substantial precedence to the case put up by him in his defence. Thus in the instant case the authority had mainly taken into consideration the memo of charges and representation of Shri Desai and relevant papers of the case. So no evidence was recorded. Thus the enquiry authority had committed an error in not recording the evidence in the presence of Shri Desai and by not offering witness for his cross-examination. It is in this way that he was not given reasonable opportunity of being heard. What was done in the instant case was to accept the allegations made against Shri Desai without giving opportunity to Shri Desai to cross-examine the persons whose statements were ultimately relied on by the enquiry authority for pass is an order of punishment against him. It is in this way that principles of natural justice were not followed. He was served with a charge-sheet and so he was duty-bound to submit a written statement. What is contained in the

written statement cannot be said to be evidence. At the same time what is contained in the complaint made against Shri Desai cannot be said to be evidence particularly when Shri Desai had not admitted those facts. It appears from other papers that he had interpreted the shocking of head by HSA as he being not required to do OT duty. Therefore when he had not admitted the charges and when he had come out with his own version about the incident it was not proper on the part of the enquiry authority as well as disciplinary authority to accept the version of the officer against Shri Desai without putting that version to the test of cross-examination by Shri Desai. So it is clear from the material on record that the departmental enquiry was not conducted in a proper manner. No evidence was recorded. The final order of punishment was passed on the passed of memo of charge and written statement submitted by Shri Desai and other papers without recording the evidence and thus without affording any opportunity to Shri Desai to cross-examine the persons. So when no witness were examined before the enquiry authority it must be held that it was a case of no evidence and consequently he could not have passed the impugned order of punishment. He was required to take into consideration the evidence before him. Except some papers and the charge and the written statement of Shri Desai, there was no other evidence on the record. The charge was not admitted by Shri Desai and so the whole enquiry can be said to have vitiated. I therefore hold that the enquiry was not conducted as required under the relevant rules in force and that rules of industrial disputes were violated. Therefore the order of punishment issued to Shri Desai cannot be upheld. So this Tribunal satisfied that the punishment order was not justified. Hence that order is required to be set aside. The first party can certainly persuade this Tribunal to come to the conclusion from the material on the record that the charge is proved. However, the first party has not adduced any evidence in this case prove the charges levelled against Shri Desai. Therefore when the first party has not adduced any evidence for the purpose of proving the charges levelled against Shri Desai it must be held that even in this case, the charges levelled against Shri Desai are not proved.

6 For the reasons aforesaid the contention raised by the second party in this case will have to be upheld and therefore I pass the following order.

ORDER

The order dated 12-12-1983 punishment Shri B. C. Desai by withholding his promotion for 3 months from the date it became passed by S. S., R.M.S., A-M- Division, A'bad and subsequently confirmed by other authorities is not justified and so it is set aside. Consequently, the first party is directed to give promotion to Shri Desai with effect from the date it became due and then fix his pay accordingly and on that basis work out the arrears of pay & allowance if any to be paid to him. He shall therefore be eligible to all incidental benefits arising as a result of this order. The first party is directed to implement this order within a period of 2 months from the date of publication of this Award. Parties to bear these on costs.

SECRETARY,

Ahmedabad, 5th October, 1990

H. R. KAMODIA, Industrial Tribunal.

[No. I-40052(3)/86-D.II(B)(Pt.)]

K. V. B. UNNY, Desk Officer

नई दिल्ली, 19 नवम्बर, 1990

का.ग्रा. 3386--औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के प्रन्सरण में, केन्द्रीय
सरकार इंडियन ग्रायल कारपोरेशन लि. मथुरा रिफाइनरी,
मथुरा के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों

के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-90 को प्राप्त हुआ था।

New Delhi, the 19th November, 1990

S.O. 3386.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the industrial dispute between the employers in relation to the management of Indian Oil Corporation Ltd., Mathura Refinery, Mathura and their workmen, which was received by the Central Government on 16-11-1990.

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 45/87

In the matter of dispute between :

Shri Niranjana Kumar Verma deceased through his legal representative Smt. Ilaichi Devi, r/o 5/242 Refinery Nagar, Mathura.

Versus

Senior Refinery Coordinator, Indian Oil Corporation Ltd., Marketing Division, Mathura Refinery, Mathura.

APPEARANCES :

Shri Surinder Singh—for the workman.

Shri Sameer Parkash—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-30512/2/86-D.III (B) dated 12-6-87 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Mathura Refinery, I.O.C. Ltd., Mathura in terminating the services of Shri N. K. Verma, Staff Car Driver w.e.f. 23-3-1985 and not giving him opportunity for re-employment when fresh recruitment was made against that post is justified? If not, what relief the workman entitled to?"

2. An application was filed by the Management for passing 'No Dispute award' in this case, as the workman had expired and no legal representatives have been brought on record. It was stated that the workman had died and he was unmarried and have left no dependants. The dispute did not survive as any legal representative of the workman did not appear.

3. The representative for the workman stated that there are some dues recoverable from the Management but in my opinion those dues if any cannot be recovered in this industrial dispute. A separate application under section 33-C (2) is maintainable in which all dues recoverable can be claimed. As far as this reference is concerned, it cannot survive because the question of his reemployment does not arise when unfortunately he is no more. I, therefore pass No dispute award in this case but leave the option/right of legal representative of the deceased workman if any to claim and recover all/any dues which he legally entitled was through process of law. Parties to bear their own costs.

8th October, 1990.

GANPATI SHARMA, Presiding Officer
[No. L-30012/6/86-86-D.III(B)]

Note.—Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

8th October, 1990.
3200 GI/90—11

नई दिल्ली, 20 नवम्बर, 1990

का.आ. 3387—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. के.पी. वी. शेख मोहम्मद रोज़थर एण्ड कं. प्रा. लि., मद्रास के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-11-90 को प्राप्त हुआ था।

New Delhi, the 20th November, 1990

S.O. 3387.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Madras as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. K. P. V. Shaik Mohammed Rowther and Co. Pvt. Ltd., Madras and their workmen, which was received by the Central Government on 19-11-1990.

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMILNADU
MADRAS

Wednesday, the 31st day of October, 1990

Industrial Dispute No. 3 of 1986

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the management of M/s. K. P. V. Shaik Mohammed Rowther and Co. Pvt. Ltd., Madras-1).

BETWEEN

The workman represented by :

Shri B. Govindarajulu, New No. 10 (Old No. 146), Kasipuram, B. Block, 5th Lane, Royapuram, Madras-600013.

AND

The management of K. P. V. Shaik Mohammed Rowther and Co. Pvt. Ltd., 202, Linghi Chetty Street, Post Box No. 1254, Madras-600001.

REFERENCE :

Order No. L-33012/1/85-D.IV (A), dated 2-1-86 of the Ministry of Labour, Government of India, New Delhi.

This dispute after restoration, coming on for final hearing on Friday the 12th day of October, 1990 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Tvl. R. Ganesan, S. Sathiamoorthy and R. Gowthaman, Advocates appearing for the workman and of Thiru T. Trulraj, Advocate appearing for the management and this dispute having stood over till this day for consideration, this Tribunal made the following :

AWARD

This dispute between a workman and the management of M/s. K. P. V. Shaik Mohammed Rowther and Company Pvt. Ltd., Madras-1 arises out a reference under Section 10(1)(d) of the Industrial Dispute Act, 1947 by the Government of India, in its Order No. L-33012/85-D.IV (A), dated 2-1-86 of the Ministry of Labour for adjudication of the following issue :

"Whether the action of the management of M/s. K. P. V. Shaik Mohammed Rowther and Company Pvt. Ltd.,

Shipping Agents, Madras in terminating the services of Shri B. Govindarajulu, Supervisor in their Dock Office, Madras Port w.e.f. 15-6-82 is legal and justified? If not, to what relief the workman concerned is entitled?"

2. This case in claim statement is as follows :—

The petitioner after promotion as Foreman was working under the respondent, in the Dock Office within the premises of Madras Port, till June 1982. He was charged with having been absent from duty from 15-6-82 onwards without prior sanction of leave. The petitioner was not permitted to enter the Harbour area as respondent did not renew the relevant entry pass and his name in the attendance register was struck off from 15-6-82. He was not given any work from 15-6-82. The petitioner did not threaten Abdul Majeeth and Abdul Sukur when they came to him for delivering a communication to the petitioner from the respondent. A domestic enquiry was initiated against the petitioner. The enquiry was adjourned frequently. The domestic enquiry officer got a letter from the petitioner saying that the enquiry should be adjourned by a day. He did not give the letter voluntarily but the said letter was obtained by the Enquiry Officer. Subsequently, the petitioner was not given any further notice of enquiry which is said to have been concluded ex parte. Finally the order of dismissal of petitioner from the service was not even communicated to the petitioner. The petitioner was not given fair and reasonable opportunity. The finding given in the report of the enquiry officer was not furnished to the petitioner. He did not receive second show cause notice regarding punishment. The order of dismissal is unjust and bad. Workers were to compel to turn out more work by working even beyond the normal duty hours. The petitioner questioned such unfair conduct of the management. The petitioner has been adversely treated by the respondent in the manner of victimisation. The petitioner challenged the dismissal by raising an Industrial Disputes before the Asst. Labour Commissioner (Central) Madras. After the conciliation proceedings failed, this reference has been made by the Central Government. The dismissal order relating to the petitioner is liable to be set aside. An award may be passed holding the petitioner's non-employment is unjustified and directing the respondent to re-employ the petitioner by giving continuity of service and back wages and other benefits.

3. The counter statement is as follows :—

The reference by the Central Government is not a valid one as the petitioner's work is concerned with the main office located at Lingli Chetti Street, Madras and has no connection with the Madras Port area operation. The Tamil Nadu Government alone could have made a reference of this dispute. The petitioner was working in the dock office which is situated within the Madras Port premises. The petitioner was very often absent from duties without any permission and was given to alcoholic drinks. Several warnings issued on earlier disciplinary proceedings taken against him did not have any useful effect on the petitioners. As the respondent did not desire petitioner's service at the dock office within the Port area, it transferred him to the Head Office or Main Office at Lingli Chetti Street, Madras w.e.f. 15-6-82. The order was served on him. Though the petitioner visited the head office on 16-6-82 and he was advised properly to report for work in particular section of the main office, the petitioner refused to do so, in spite of his having orally agreed to join duty. Finally the memo dated 18-6-82 was given to the petitioner wherein also he was asked to report for duty at the main office. As the petitioner failed to turn up for duty the charge memo dated 11-8-82 against him was prepared, issued and served on him. The petitioner gave his reply on 16-8-82. The petitioner attended the domestic enquiry proceedings on 14-9-82 and the same was adjourned to 15-9-82

at the request of the petitioner, given by him in a letter-form. On 15-9-82 also the petitioner was present at the enquiry but when the enquiry officer wanted him to participate the petitioner left the place saying he is not interested in the enquiry. The Enquiry Officer findings defiant attitude set the petitioner ex-parte. He recorded the evidence and gave a report with a finding that the charges have been proved. Later the respondent considered the antecedents of the petitioner and gave an order of dismissal on 14-11-82. The petitioner refused to receive the order of the dismissal sent by post. The petitioner did not even try to ascertain from the respondent as to why his name was struck off in the attendance register relating to the dock office or why was not given any work from 16-6-82. The petitioner voluntarily failed to present himself at the office from 15-6-82 onwards till the date of his dismissal. The petitioner knowing well about the transfer order under which he is to report for duty in the main office is covering up his misconduct by pretending that he was not aware of the transfer and that he was not permitted any work at the dock office. The petitioner did not submit any explanation touching the other charges except the charge of absenteeism. The petitioner want only disobeyed the order of transfer issued, threatened to assault employees who tried to serve the communication on the petitioner and failed to report for duty at the main office.

The domestic enquiry gave full opportunity to the petitioner who decidedly kept himself out of the enquiry and thereby invited ex parte proceedings. The Enquiry Officer has rightly given his findings on the charges that they have been proved. The alleged motive of the respondent and story of victimisation are not true. The enquiry has been held with all fairness. The respondent may be permitted to prove the charges in this Tribunal. The dispute is liable to be dismissed.

The preliminary issue regarding fairness of the domestic enquiry was already answered by this Tribunal and an order has been passed on 13-6-89 upholding the fairness of domestic enquiry. So at present we are only concerned with the nature of the findings based on evidence and suitability of the punishment.

4. The points for determination are as follows :—

- (1) Whether the charges against the petitioner have been proved by the evidence recorded before this Tribunal?
- (2) Whether the punishment of dismissal is just and warranted?
- (3) To what reliefs the petitioner is entitled?

5. On behalf of the petitioner W.W.1 B. Govindarajulu was examined and Ex. W-1 to W-5 were marked. On the side of the respondent, Thiru S. K. Mohanram testified as M.W.1 and Ex. M-1 to M-24 were marked. The charge memo dated 11-8-82, on which the domestic enquiry was held, lists 5 charges i.e.

- (a) being absent for work on 15th June 1982;
- (b) remaining absent from 16th June 1982 onwards;
- (c) for refusing to acknowledge the receipt of notice;
- (d) for threatening and intimidating Mr. Abdul Majid who met him to serve a memo; and
- (e) for habitual unexplained absenteeism.

Copy of the charge memo sent by Registered post is marked Ex M-12. The reply given by the petitioner in his own hand writing is Ex. M-13. The record shows that the respondent on 18-6-82 itself has issued the first charge memo marked Ex. M-8) which however could not be served of the petitioner in person. According to the evidence of M.W.1 Mohan Ram who is the domestic enquiry officer, in his capacity of Personnel Officer, under the respondent, Loganathan, a Section-Officer had deputed two employees Abdul Majid and Abdul

Sukur to take the first charge memo Ex. M-8 and serve it on the petitioner on 18-6-82. It is stated that when these two persons met the petitioner on 18-6-82 and asked him to receive the charge memo petitioner is said to have threatened Abdul Majid with physical violence. On this incident, no evidence has been let in before us. The said Abdul Sukur and Abdul Majid have made a report of the incident to the respondent on 19-6-82. These reports though they were not marked in this enquiry before us, are found in the records, having been marked as Ex. M-21 and M-22 at the domestic enquiry. The trouble has arisen when the petitioner, who is said to have avidly liked his posting at the Dock Office, refused to obey the transfer order or even acknowledge it and failed to join duty at the new place namely the main office at Lingi Chetty Street, Madras. Hence as many as 3 sets of charges namely Ex. M-8, M-10 & M-12 have been framed against the petitioner. It is the final charge memo Ex. M-12 with which the domestic enquiry and also our present enquiry are concerned. Only the charges regarding absenteeism which the enquiry officer, have identified as (a) being absent for work on 15th June 1982; (b) remaining absent from 16th June 1982 onwards and (c) for habitual unexplained absenteeism; in his report based on the 3rd charge memo Ex. M-12, are pressed before us by the learned counsel for the respondent. The reason is that the respondent has not adduced evidence before us on the charge of threatening Abdul Majid and the charge of petitioner's refusal to receive and acknowledge the charge memo or notice. The petitioner as W.W.1 swore that he was not at all transferred and that he did not receive any transfer order and nobody asked him to report at the main office at Lingichetty Street. However he had to admit that he came to know about the removal of his name from the attendance register at Dock Office on 15-6-82. He also admitted that he went to the main office on 16-6-82 and tried to meet the Managing Director, and in fact he was able to meet only the General Manager. Even assuming that the actual transfer order whose copy is Ex. M-2 was not served on the petitioner W.W.1 since he refused to accept it when tendered to him, he should have known about his transfer from Ex. M-12 charge memo and finally in the course of the domestic enquiry proceedings. Some how, even during the enquiry proceedings the petitioner did not express that he was ready to serve at the main office in obedience to the transfer order. On the part of the management, it has not taken any acknowledgement from the petitioner to show that the transfer order was effectively served upon the petitioner. The said order of transfer was not even communicated by Registered post. It would be reasonable to accept the respondent's case and the evidence of M.W.1 that the petitioner was advised by M.W.1 himself on 15-6-82 that he must join duty at the main office as a result of the transfer order. It therefore transpires that the fact of his transfer was communicated to the petitioner by M.W.1 at the latest on 16-6-82 or in August '82 when Ex. M-12 was served. The charge that the petitioner failed to report for duty at the main office on and after 15-6-82 stands proved by the evidence given before us.

(6) We have to immediately turn to the service conditions, marked as Ex. M-1. Therein, rule 12(6) dealing with nuisance on a few occasions due to alcohol consumption than ten consequent days, is a misconduct. Such misconduct will amount to voluntary termination of employment as provided in Rule 14 dealing with termination of services. The earliest charge memo Ex. M-8 dt. 18-6-82 refers to the petitioner as an addict to alcohol and that he was a source of nuisance on a few occasions due to alcohol consumption in the past. In the report given by Abdul Sukur and Abdul Majid (marked as M-21 & M-22 in the domestic enquiry), they alleged the Petitioner threatened to cause physical harm to Abdul Majid and he was at that time under the influence of alcohol. We can therefore infer that the petitioner having for a long time served at Dock Office situated in the Madras Port premises has given himself to the habit of consumption of easily available liquor. The learned counsel for the petitioner argued that the petitioner should be shown mercy in so far as quantum of punishment is concerned. Even though the condition of service namely Rule 14(g) provides that absenteeism will entitle automatic termination of employment we have to take it that such stringent provision (in terrorem) is not meant for enforcement. The respondent, having started regular disciplinary proceedings against the petitioner we must

reduce that this clause has been waived and is not being resorted to the fact that the management was eager to terminate the service of the petitioner even by prejudging the matter, can be seen from the earliest charge memo Ex. M-8 in which the last sentence requires the petitioner to give his explanation against proposed dismissal. Even in the next charge memo Ex. M-10 the respondent reveal its intention to dismiss the petitioner from service even while calling upon the petitioner to give proper explanation for the charge arising from violation of rule 13 Sub rule 6. Thus we are left in no doubt about the respondent's predetermination and bias even before the domestic enquiry started that the petitioner should be dismissed.

(7) Ex. M-2 is copy of the transfer order dated 13-6-82 said to have been served upon W.W.1 Govindarajulu on 14-6-82 by Mr. Loganathan a Section Officer at the Dock Office. We do not have clinching evidence from the respondent as to the exact date of serving the transfer order upon W.W.1. We already mentioned that the petitioner should have come to know that he was transferred to the main office at the latest when the charge memo Ex. M-12 was actually served on him by post in August 1982. The conditions of service of the petitioner are given in Ex. W-1 communication given to him when he was promoted as a Foreman serving in the Dock office. Para 7 of this document states that the petitioner will have to work either in the main office or dock office and the nature of his work be desk work or writing work. It follows that the petitioner is liable to be transferred between the dock office and the main office. However there is no evidence to prove the petitioner's qualification for scriptory work or desk work. The petitioner might have been doing some writing work besides supervising or extracting work from the labourers engaged in clearance of goods coming in ships. He is bound to work in any section or office belonging to the respondent as provided in para 3 of Ex. W-1 so long as his salary or wage is not reduced and his rank is not affected.

8. The previous records relating to the petitioner's conduct though not admitted as documentary evidence at the enquiry before us are found in the case records which show that petitioner was charged for negligence and drunkenness prior to 1974 and he was warned for those acts of misconduct. The main flaw in the petitioners conduct and character is traceable to his love for alcohol. Such a man really needs sympathy of the Court with a view to rehabilitating him. Though absenteeism of a worker for a long duration may be viewed seriously a stern approach need not be made in all cases and circumstances. The first two charge sheets Ex. M-8 and M-10 reveal the preconceived intention of the respondent to dismiss the petitioner even before the domestic enquiry started. The respondent could have been a little more liberal by awarding a lesser punishment such as suspension for a period a few months or cut in increments instead of the extreme penalty of dismissal from service. The petitioner absented from duties and failed to take charge of the post in the main office only as a result of his resentment and displeasure stemming from his reluctance to leave a green pasture in the harbour area. The fact that the petitioner realised his blunder and warned to correct himself is shown by his representation to the enquiry officer M.W.1 under Ex. M-18 dt. 14-8-82 wherein he expressed his desire to meet the Managing Director for tendering an apology. In these circumstances of the case, I am inclined to hold that the punishment of dismissal under Ex. M-19 dt. 4-11-82 is not warranted and not just and that the petitioner should be reinstated in service after setting aside the punishment. I hold that the petitioner should be paid full backwages from 4th November 1982 the date of his dismissal besides all other monetary benefits usually payable by the Management. On point No. 1 I find that the charge of absence from 15-6-82 is proved and that all other charges are not provided by evidence given before us. The findings of M.W.1 another charges are set aside. On point No. 2 I find that the punishment of dismissal is not just and warranted and it is set aside. On point No. 3 I find that the petitioner is entitled to be reinstated in his service under the respondent and that the respondent is bound to reinstate him and pay him backwages from the 4th November 1982 and attendant benefits.

9. In the result, an award is passed directing the respondent to reinstate the petitioner in service and give the petitioner

backwages with all attendant benefits and continuity of service. No costs.

Dated, this 31st day of October, 1990.

THIRU M. GOPALASWAMY, Industrial Tribunal
[No. L-33012/1/85-D.IV(A)/IR(Misc.)]
V. K. SHARMA, Desk Officer

WITNESS EXAMINED

For Workman :

W.W. 1—Thiru B. Govindarajulu.

For Management :

M.W. 1—Thiru S. K. Mohanram.

DOCUMENTS MARKED

For Workman :

Ex. W.1/11-9-69—Xerox copy of order of confirmation as Foreman.

Ex. W.2/16-8-82—Letter from W.W. 1 to the management (copy).

Ex. W.3/27-6-84—Letter from W.W.1 to the Asst. Commissioner of Labour (Central), Madras-6 (Xerox copy).

Ex. W.4/21-12-84—Letter from W.W. 1 to the Asst. Commissioner of Labour (Central), Madras-6 (Xerox copy).

Ex. W.5/5-1-85—Conciliation failure report (Xerox copy).

For Management :

Ex. M-1—Standing order.

Ex. M-2/13-6-82—Order of transfer issued to W.W.1.

Ex. M-3/13-6-82—Attendance Register of Dock Office.

Ex. M-4/13-6-82—Attendance Register of Main Office for June, 1982.

Ex. M-5/13-6-82—Attendance Register of Main Office for July, 1982.

Ex. M-6/13-6-82—Attendance Register of Main Office for August, 1982.

Ex. M-7/13-6-82—Attendance Register of Main office for September, 1982.

Ex. M-8/18-6-82.—Charge memo issued to W.W. 1 (copy).

Ex. M-9/18-6-82—Returned cover with acknowledgement from W.W. 1.

Ex. M-10/19-6-82—Charge memo issued to W.W.1.

Ex. M-11/19-6-82—Xerox copy of acknowledgement from W.W. 1.

Ex. M-12/11-8-82—Charge sheet issued to W.W. 1.

Ex. M-13/16-8-82—Reply by W.W. 1 to Ex. M-12.

Ex. M-14/21-8-82—Enquiry notice issued to W.W. 1 (copy).

Ex. M-15/21-8-82—Acknowledgement date 27-8-82 from W.W. 1.

Ex. M-16/6-9-82—Intimation of adjournment given to W.W. 1 (copy).

Ex. M-17/6-9-82—Acknowledgement date 10-9-82 from W.W. 1.

Ex. M-18/14-9-82—Letter from W.W. 1 to the enquiry office requesting for adjournment.

Ex. M-19/4-11-82—Termination order issued to W.W. 1.

Ex. M-20/4-11-82—Returned cover with acknowledgement from W.W. 1.

Ex. M-21/4-11-82—Month of permit for entry in Harbour issued to W.W. 1 for the month of June, 1982.

Ex. M-22/4-11-82—Pay Roll of workers for the month of February, 1982.

Ex. M-23/14-9-82/15-9-82—Proceedings of the Enquiry Officer.

Ex. M-24/18-9-82—Findings of the Enquiry Officer.

नई दिल्ली, 20 नवम्बर, 1990

का. आ. 3388.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार न्यू बैंक ऑफ इण्डिया के प्रबन्धतंत्र के संबद्ध, नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-11-90 का प्राप्त हुआ था।

New Delhi, the 20th November, 1990.

S.O. 3388.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal New Delhi as shown in the Annexure in the Industrial dispute between the employers in relation to the New Bank of India and their workmen, which was received by the Central Government on the 19-11-1990.

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 128/88.

In the matter of dispute between :

Shri R. B. Mall through All India New Bank Staff Association, New Delhi.

VERSUS

The Zonal Manager, New Bank of India, Vikrant Tower, Rajender Place, New Delhi.

APPEARANCES :

Shri J. K. Pangasa with the Workmen.

Shri S. K. Shah for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/133/88-D. II(a), dated 4-11-1988 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of New Bank of India in not permitting Shri R. B. Mall, Clerk/ C. K. to resume his duties during 19-12-1987 to 6-1-1988 is justified? If not, to what relief is the workman entitled?"

2. The workman made statement having received Rs. 1358.04 P. vide cheque No. 254316, dated 31-10-1990 and further stated that No dispute award may be made. In view of his statement, since the management has made the payment and the workman is satisfied with the same I, therefore, pass 'No dispute Award' in this case as no dispute exist, now for adjudication by this court. Parties are left to bear their own costs.

1st November, 1990.

GANPATI SHARMA, Presiding Officer.
[No. L-12012/133/88-D-II(A)]

N. B. :—Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

नई दिल्ली, 23 नवम्बर, 1990

का. आ. 3389.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल बैंक फॉर एग्रीकल्चरल एण्ड रूरल

डिप्लोमेट के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्म-कारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार का 20-11-90 को प्राप्त हुआ था।

New Delhi, the 23rd November, 1990

S.O. 3389.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bhubaneswar as shown in the Annexure in the industrial dispute between the employers in relation to the management of National Bank of Agricultural Rural Development and their workmen, which was received by the Central Government on 20-11-1990.

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

Industrial Disputes case No. 35 of 1987 (Central)

Bhubaneswar, the 3rd November, 1990

BETWEEN

The Management of National Bank for Agriculture and Rural Development (NABARD), Bhubaneswar—
First Party-Management.

AND

Their workmen—

- (1) Sri R. R. Panda, represented through President, NABARD Employees Association, C/o NABARD, Station Square, Bhubaneswar.
- (2) Shri J. K. Behera Telex Operator, NABARD, Bhubaneswar. — Second Party- workmen.

APPEARANCES :

Sri M. V. Gupta, Deputy General Manager (Law)—For the First Party-Management.

(1) Sri G. B. Panda, President NABARD Employees' Association—For the workmen Sri R. R. Panda.

(2) Sri J. K. Behera — himself.

AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred upon them by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) and by their order No. L-12012/281/86-D. II (A) dated 9-3-87 have referred the following dispute for adjudication by this Tribunal :—

“Whether the action of Dy. General Manager, NABARD, Bhubaneswar in changing the designation of Shri R. R. Panda, from Telex Operator to Telephone Operator and causing financial loss to the workman is legal and justified? If not, to what relief the workman is entitled?”

2. It is the case of the second party-workman Sri R. R. Panda that in response to an advertisement published in the English daily “Times of India” dated 28-4-83, he applied for appointment to the post of Telex Operator in the National Bank for Agriculture and Rural Development (NABARD) and after appearing at the test and interview held for the purpose was selected and appointed to the post of Telex Operator. He received the letter of appointment to the post of Telex Operator on 21-6-84 and joined the said post. On successful completion of the probation period of the year as per the letter of appointment, he was confirmed in the said post of Telex Operator. Surprisingly, however, by the office order passed by the Management on 10-5-86 his designation was altered to that of a Telephone Operator by which he was down graded which resulted in causing financial loss to him. He raised a dispute through the NABARD Employees' Association challenging the aforesaid action of the

Management on grounds of violation of the provisions of the NABARD Staff Rules, 1982, the terms of his appointment and also on the ground of violation of Section 9-A of the Industrial Disputes Act, 1947. The dispute was admitted to conciliation and the conciliation having failed it was referred for adjudication to this Tribunal.

3. The case of the First Party-Management seems to be that the second party-workman submitted his application for appointment to the post of a Telephone Operator and after a test and interview held for the post of Telephone Operator, he was in fact appointed as a Telephone Operator but by mistake, inadvertently, appointment order was offered to him for the post of Telex Operator and accordingly, he joined as a Telex Operator, wherein he was subsequently confirmed purely on the basis of a wrong impression. This inadvertent mistake was subsequently detected and therefore, by the subsequent impugned office order, the aforesaid mistake was rectified. According to the First Party-Management, there was absolutely no down grading of the second party-workman Mr. Panda from the post of Telex Operator to Telephone Operator.

4. Sri J. K. Behera, the Senior most Typist who was assigned the duty of Telex Operator with effect from 15-5-1985 in place of the second party-workman Sri Panda and who was added as a party in this proceeding at the instance of the First Party-Management, took the plea that the NABARD Staff Rules do not provide for direct recruitment to the post of Telex Operator and even if Sri Panda was appointed to the said post it was illegal.

5. On the pleadings of the parties, the following issues were framed :—

ISSUES

- (1) Whether the action of Dy. General Manager, NABARD, Bhubaneswar in changing the designation of Sri R. R. Panda, from Telex Operator to Telephone Operator and causing financial loss to the workman is legal and justified?
- (2) Whether Sri Panda was tested and selected by the selection committee constituted in this behalf, for the post of Telex Operator, if not for what post?
- (3) Whether offer of appointment and confirmation order for the post of Telex Operator were issued by administrative lapse, if so, whether the Management is not entitled to rectify the same?
- (4) Whether the offer of appointment and confirmation order thereof for the post of Telex Operator issued to Sri Panda were authorised in terms of NABARD (Staff) Rules, 1982, If not, what is its effect?
- (5) Whether impugned office order dated 10th May 1986 issued by Deputy General Manager, NABARD Bhubaneswar effect degradation or reduction in the rank of Sri Panda?
- (6) Whether impugned office orders are violative of NABARD Staff Rules, 1981, Indian Contract Act and Industrial Disputes Act?
- (7) Whether Sri Panda is entitled to any relief and if so what?

6. My predecessor, in consideration of the evidence recorded by him in the proceeding and after hearing arguments from both parties held that the action of the NABARD Management in changing the designation of the second party-workman Sri Panda from Telex Operator to Telephone Operator and causing financial loss to him was not legal and justified and that Sri Panda was entitled to reinstatement to the post of Telex Operator and to allowances admissible to the Telex Operator with effect from 10-5-1986. He passed an Award accordingly on 31-8-87.

7. The Award was challenged by the NABARD Management before the Hon'ble High Court of Orissa in O.J.C. No. 3751 of 1987 and the Hon'ble Court by their judgment dated 17-1-1990 quashed the Award and remitted back the matter to the Tribunal with a direction that the same be

disposed of on the existing materials on record after giving opportunity of hearing to the parties concerned. In paragraph 5 of the Judgment, their Lordships of the Hon'ble Court observed that the Tribunal did not properly appreciate the documents Exts. B, F and G and the evidence of MW-1, who was practically not cross-examined at all and erroneously and abruptly arrived at the conclusion that the case of the workman that he was selected for the post of Telex Operator can not be excluded. Their Lordships held that the conclusion of the Tribunal that the second party-workman Sri Panda had been selected for the post of Telex Operator is perverse.

8. After the case was received on remand, the parties advanced their respective arguments on the basis of the available evidence on record, both oral and documentary.

On behalf of the First Party Management, reference was made to the documents Exts. D, E, F and G and also to the evidence of MW-1 and it was urged that by no stretch of imagination it could be held that the second party-workman Sri Panda appeared at the test and interview for the post of a Telex Operator particularly in view of the fact that no typing test was taken. It was urged that in the test and interview held for selection of a candidate for appointment to the concerned post, numbers were awarded on the basis of voice test, manners etc. and operation of PABX, which have absolutely nothing to do with the post of a Telex Operator. Those are tests held for the selection of Telephone Operator and on the basis of the said documents it has got to be held that Sri Panda appeared at the test held for the post of Telephone Operator and not for the post of Telex Operator.

9. In this proceeding, the Dy. Manager NABARD was examined as MW-1. He was working in the Recruitment Section in 1984 and as such he has knowledge about the facts relating to the appointment of the second party Sri Panda. He stated that at the relevant time NABARD had three posts—the posts of a Typists a Stenographer and a Telephone Operator. They did not have any post of Telex Operator. According to MW-1, Sri Panda had applied for both the post of Telephone Operator and Telex Operator but the Management accepted his candidature for the post of Telephone Operator. However, by mistake he was offered the post of Telex Operator. This witness stated that Sri Panda was subjected to voice test on PARX box and was tested regarding his manners required for a Telephone Operator. According to him, immediately after the skill test, an interview was held and a list of candidates selected for the post of Telephone Operator was prepared. He stated that the duties of telex operation is given to the senior most typist of the office who is paid a special functional pay of Rs. 125 per month for performing the said duties. This, according to MW-1, is an established practice of the organisation. MW-1, stated that Sri Panda was paid the functional pay of Rs. 125 while working as Telex Operator. He also stated that no Telephone Operator is entrusted with the business of telex operation. According to MW-1, the final list for appointment of Sri Panda as Telephone Operator was approved by the competent authority but his Stenographer, while preparing the offer of appointment, mentioned his designation as Telex Operator in place of Telephone Operator and on the basis of this mistake the Regional Office entrusted the work of telex operation to Sri Panda. He worked as Telex Operator on probation for one year and on completion of the probation period of one year, he was confirmed in that post. It was subsequently detected that there was no independent post of Telex Operator to which Sri Panda could have been appointed and therefore, the Regional Office was advised to issue a fresh order appointing Sri Panda as Telephone Operator and to regularise his services.

Being cross examined on behalf of the second party-workman, MW-1 stated that in the Rules contained in Appendix (1) clause-IX.1 the word 'Telex Operators' meant the Senior Typist under the Reserve Bank of India who were working as Telex Operator. Being cross-examined by Sri J. K. Behera, who was subsequently added as a party, he stated that training of Telex operation is given to the Typist so that the work of telex operation could be managed in the absence of the Typist who is entrusted with the work of telex operation.

10. We may now refer to the documents proved in this case on the question at issue. Ext. 1 is the copy of advertisement for vacancies issued by the Management calling for applications for appointment to different posts. It shows that applications were called for the posts of Typists (Hindi/English) Telephone/Telex Operators which bore the O.S.T. (Code) No. IX. In clause 2.2 of the advertisement for the aforesaid posts (Code-IX) the following additional qualifications were prescribed :—

- (a) Minimum typing speed of 40 w.p.m. in typing for English Typists and minimum typing speed of 30 w.p.m. in typing for Hindi Typists. Preference would be given to those having knowledge of both English and Hindi typing ;
- (b) Proficiency in operation of BABX and PBX telephone boards for Telephone Operators,
- (c) Proficiency in operation of Telex machine for the post of Telex Operators.

The advertisement also indicated the nature of written examination prescribed for the post codes VI, VII, VIII and IX in clause 5 of the advertisement. Emoluments for different categories of posts were indicated in clause 8 of the advertisement. Post codes VI (Clerks), VII (Hindi Translator), VIII (Stenographer (Hindi/English)) and IX (Typists (Hindi/English) Telephone/Telex Operator) carried the same scale of pay and these were mentioned in clause 8 of the advertisement. It was also mentioned that in addition, functional allowances payable were (a) Telephone Operator Rs. 31 per month ; (b) Telex Operator Rs. 78 per month ; (c) Stenographer Rs. 152 per month.

Ext. 2 is the appointment offer which was issued to Sri Panda in June, 1984 wherein it was mentioned that the same was for the post of Telex Operator. Ext. 3 is a letter which was issued by the Asst. Development Officer (Admn.) to Sri Panda on 21st June, 1984 advising him to report for appointment to the Deputy General Manager, NABARD, Bhubaneswar on any working day on or before 2nd July, 1984. In this letter also the post was mentioned to be the post of Telex Operator. Ext. 5 is the office order dated 29th July, 1985 by which Sri Panda was confirmed in the post of Telex Operator on completion of the probation period. Ext. 6 is the office order No. 105 dated 10-5-86 passed by the Dy. General Manager. It reads as follows :—

"In terms of Head Office letter No. HRMD. PA No. 3427/Rec. 1/83-84 dated 28th May, 1984, Sri R. R. Panda was waitlisted for appointment to the post of Telephone Operator. However, he was offered the post of Telex Operator, vide Head Office letter No. NB HRMD PA 3665/Rec. 1(1)/83-84 dated 5 June, 1984. The post of Telex Operator forms part of Typists and Stenographers service of the National Bank as per Appendix-I-IX-1 to the NABARD (Staff) Rules, 1982. Shri Panda had not appeared for skilled test for Typists. It has, therefore, been decided to regularise the position by appointing Sri Panda as Telephone Operator in Misc. Service of the National Bank retrospectively with effect from 26 June 1984.

2. Accordingly, in supersession of Office order No. 2/84-85 dated 5-7-84 Shri Panda is deemed to have been appointed as Telephone Operator with retrospective effect from 26 June, 1984.

Appendix I of the NABARD (Staff) Rules, 1982 relates to different categories of services created in the National Bank. Clause IX thereof relates to Typists and Stenographers service. Relating to constitution of these services it is mentioned that—"This service shall cover all Typists, Telex Operators and Stenographers of Reserve Bank of India who are deemed to have been appointed in the National Bank's service by virtue of Section 50 of the Act, as also, the staff appointed to various categories in this service by the National Bank on or after 12 July, 1982 either by way of promotion or direct recruitment. Clause XII of the said Rules refers to Miscellaneous Service and it is mentioned there in that the Employees in the following isolated categories who are deemed to have been appointed in the National Bank by virtue of the provision of Section 50 of the Act and also the employees in these categories who are

appointed by the National Bank on or after 12 July, 1982 shall belong to National Bank's Miscellaneous Service.

Employees who are appointed to other isolated posts in the National Bank not listed herein shall also belong to Miscellaneous Service :

Group 'B' Staff

- (1) Telephone Operator,
- (2) Pharmacists,
- (3) Punch Card Operators,
- (4) Draftmen.

The aforesaid rules have been extracted and filed in this proceeding, marked as Exts. 8 and A. By Ext. 7 i.e., the office order dated 10-5-86, the previous order confirming Sri Panda in the post of Telex Operator was superseded and he was confirmed in the post of Telephone Operator from the due date. Ext. C is the letter issued from the Head Office of NABARD to its Regional Offices including its Regional Office at Bhubaneswar for holding skill test for the posts of Stenographers, Typists, Hindi Translators, Telephone Operators and interviews for the posts of Clerks Grade-II. It is mentioned in the said letter that the candidates for the posts of Telephone Operator should be subjected to skill test in operation of PAX/PBX Board. If suitable arrangements are not available in the Regional Office for conducting the test, assistance of the local office of the Reserve Bank of India, Commercial Bank or other public sector Undertaking or local Telephone Exchange may be sought for the purpose. Annexure I to the said letter shows that there were four candidates who were to appear in skill test for the post of Telephone Operator. Annexure II to the said letter shows that 14-1-84 was fixed for conducting tests for telephone operators. Ext. D is a form of letter issued calling for candidates for the post of Telephone Operators to appear at the skill test to be held on 14-1-84. Ext. E is the list of candidates with the marks secured by them in voice test and PABX test. Sri Panda secured the highest marks in voice test and PABX test as found in Ext. E. Ext. F is the rating of candidates as found in the test and interview. In Ext. F the details of each candidate were mentioned and the marks secured by them in the voice test and PABX operation test were mentioned. Experience of each candidate was also mentioned. Sri Panda was rated 'A'. His previous experience was also mentioned therein which reads—Undergone 15 months training at No. 3 OTS Airforce as Telephone/Telex Operator. Worked for 14 years as Telephone Operator/Telex Operator in Air Force. Worked in HF and VHF Communication in 1971 War. One of the members of the Interview Board Sri G. R. Inamdar while rating Mr. Panda as 'A' seems to have made a note in Column 5 of the rating form that he rated Sri Panda as 'A' for both Telex and Telephone operation.

11. A perusal of the evidence of MW-1 and the documents relied upon by both parties which are referred to above go to show that the interview was conducted for the post of Telephone Operator only and not for the post of Telex Operator. In fact, as the staff Rules show that a Typist could only function as Telex Operator. Admittedly, no typing test was taken during skill test held for the purpose from the candidates who appeared at the skill test. Voice test and PABX/PBX tests were taken which were required for selection of candidates for appointment to the post of Telephone Operator. Under such circumstance, the evidence of MW-1 to the effect that the mistake crept in one account of the mistake committed by the Stenographer while typing out the appointment offer, Ext. 2, appears to be true. It also seems to be true that the post of Telex Operator is not borne in the Cadre and is only a functional post carrying additional functional allowance.

I may repeat that in the advertisement Ext. 1. Clause 8 which contains information about emoluments, shows that in addition functional allowances payable are Rs. 31 per month for Telephone Operators, Rs. 78 per month for Telex Operators and Rs. 152 per month for Stenographers. Ext. C clearly goes to show that no test was intended to be conducted for the post of Telex Operator. It refers to conducting of skill test for the post of Stenographers, Typists, Hindi Translators, Telephone Operators and interview for posts of Clerks Grade-II. It is also mentioned in the said office order

Ext. C that the candidates for the post of Telephone Operators should be subjected to a skill test in operation of PAX/PBX Board. It appears incongruous that a candidate appearing for appointment to the post of a Telex Operator would be required to appear at the Voice test and PAX/PBX test. Such tests are necessary only for candidates appearing for the post of Telephone Operators.

11. In this case, the second party-workman Sri Panda did not choose to examine himself in this proceeding and state on oath that in fact he applied and appeared at the test held for the post of Telex Operator only and not for the post of Telephone Operator. Not a single witness has been examined on his behalf to state the aforesaid fact. On the other hand, MW-1 clearly stated in his evidence about the mistake committed by his Stenographer while issuing the appointment offer.

Thus, considering all these facts and circumstances, I will have no hesitation to hold that the second party-workman Sri Panda appeared at the test for the post of Telephone Operator and was selected for that post and further that the offer of appointment issued to him as a Telex Operator was a mistake which was subsequently rectified by the impugned order issued by the Dy. General Manager, NABARD.

12. In this proceeding, argument was advanced on the side of the workman that by the action of the Management he has been adversely affected. This contention does not appear to be correct. By the impugned order Sri Panda's seniority has not been affected. His designation has only been changed by which he was to lose the functional allowance payable to the Telex Operator which he had been receiving in addition to the salary and other emoluments. In the circumstances, it can not be said that Sri Panda has any valid ground to question the Management's action as unjustified, particularly, when the Management only rectified a mistake which had crept in to the appointment offer given to Sri Panda and created anomaly in implementing the Staff Rules.

Some argument was advanced on the basis of the Principles of Promissory Estoppel. I do not think, the said principle is applicable, in the facts and circumstances of this case, in as much as, the appointment letter informing Sri Panda that he was appointed as Telex Operator and his joining as Telex Operator and subsequent confirmation as Telex Operator were the out-come of mistakes, which were known to Sri Panda. I may state here that when Sri Panda subjected himself to voice test and PAX/PBX test he must be presumed to have known that it was for the post of a Telephone Operator and not a Telex Operator.

13. Thus, as per the discussions held above, I would hold that the action of the Deputy General Manager, NABARD, Bhubaneswar in changing the designation of Sri R. R. Panda from Telex Operator to Telephone Operator is quite legal and justified. Sri Panda is not entitled to any relief.

The reference is answered accordingly. Dictated and corrected by me.

Dated : 3-11-1990.

S. K. MISRA, Presiding Officer

[No. 1-12012/281/86-D.II (A)]

V. K. VENUGOPALAN, Desk Officer

नई दिल्ली, 21 नवम्बर 1990

का. आ. 3390.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स सेन्ट्रल कोल्डफील्ड्स लिमिटेड की सयाल "डी" कोलियरी के प्रबन्धन से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 2) घनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-11-90 को प्राप्त हुआ था।

New Delhi, the 21st November, 1990

S.O. 3390.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 2), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Sayal 'D' Colliery of M/s. Central Coalfields Ltd. and their workmen, which was received by the Central Government on 20-11-1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 144 of 1987

In the matter of an industrial dispute under Section 10(1)(d) of the I. D. Act, 1947

PARTIES :

Employers in relation to the management of Sayal 'D' Colliery of M/s. Central Coalfields Limited and their workmen.

APPEARANCES :

On behalf of the workmen—Shri B. Joshi, Advocate.

On behalf of the employers—Shri R. S. Murthy, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, the 14th November, 1990

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24012 (167)/86-D.IV (B), dated, the 9th May, 1987.

SCHEDULE

"Whether the action of the Management of Sayal 'D' Colliery of M/s. C.C. Ltd. P.O. Sayal, Dist. Hazaribagh in terminating the services of Shri Deonarain, son-in-law of late Laxman Munda and Smt. Bijali Devi who was appointed under para 9.4.2 of NCWA-III, is legal and justified? If not, to what relief the workman concerned is entitled?"

The case of the workmen represented by United Coal Workers Union is that late Laxman Munda was admittedly in the employment of Sayal 'D' Colliery of M/s. CCL. Laxman Munda died on 28-1-79 while he was still in the service of the management. The said Laxman Munda was father-in-law of the concerned workman Shri Deo Narain. The dependents of late Laxman Munda included his son-in-law Shri Deo Narain in addition to his wife Smt. Bijali Devi and 2 daughters whom Laxman Munda left behind after his death. The concerned workman Deo Narain was the only person physically fit and suitable for employment among the dependents of deceased Laxman Munda. Smt. Bijali Devi widow of late Laxman Munda submitted an application before the management for providing employment to her son-in-law Shri Deo Narain in place of her deceased husband who had died while in service. The said application was countersigned by the local Mukhiya and the MLA testifying the fact that Shri Deo Narain was the son-in-law of late Laxman Munda and Smt. Bijali Devi. The management duly entertained the said application of Smt. Bijali Devi in terms of paragraph 9.4.2 of NCWA-III and after due processing directed the applicant and her son-in-law to appear on 24-1-83 for an interview before a committee constituted by the management. In course of the interview Smt. Bijali Devi clearly declared that Shri Deo Narain was the son-in-law and in the absence of a male issue he alone could be bread earner for the entire family. She accordingly claimed that her son-in-law Shri Deo Narain be given employment in place of her deceased husband. The interview committee found Shri Deo Narain physically fit and suitable for employment and therefore recommended for his em-

ployment in terms of para 9.4.2 of NCWA-III. When there was inordinate delay in the issuing of the appointment letter to Shri Deo Narain after the interview, Smt. Bijali Devi and Shri Deo Narain met the concerned authority to enquire into the reason for the delay. They were given to understand that the delay was on account of the management's anxiety to be quite sure regarding the interse relationship between Shri Deo Narain and the deceased Laxman Munda after proper enquiry. After having been fully satisfied that Shri Deo Narain is the son-in-law of late Laxman Munda Smt. Bijali Devi the management issued letter of appointment dated 12-11-84 and posted Shri Deo Narain in Sayal 'D' Colliery. In pursuance of the said letter of the employment dated 12-11-84, the Dy. Chief Mining Engineer Sayal 'D' Colliery issued office order dated 19-11-84 posting Shri Deo Narain as piece rated worker in Mine No. 4 Sayal 'D' Colliery and the concerned workman was directed to report for his duty to the Colliery Manager of Mine No. 4 of Sayal 'D' Colliery immediately. The concerned workman joined his duties as directed in the office order dated 19-11-84. After he had worked for only 4 days he was stopped from his duty with immediate effect vide office order dated 23-11-84. Since then the management had refused to allow the concerned workman to assume his work although no formal letter terminating his services has been issued to him. Both the concerned workman and Smt. Bijali Devi protested and raised the demand that Shri Deo Narain be immediately reinstated. When the management did not take any step the concerned workman and her mother-in-law approached the local unit of the workers Union and requested to take up the dispute relating to the illegal termination of the services of the concerned workman. The Union decided to raise an industrial dispute for the reinstatement of the concerned workman. In course of the conciliation proceeding before the ALC (C) the Union learnt about the stand of the management. The Union learnt that the management had received a complaint alleging that Shri Deo Narain was actually not the son-in-law of late Laxman Munda and the management claimed to have conducted an enquiry on the said allegation and on enquiry learnt that Shri Deo Narain was not the son-in-law of late Laxman Munda. The said preliminary enquiry was held behind the back of the concerned workman without his knowledge or information which was in gross violation of the principles of natural justice. The management has no materials to conclude that the concerned workman was not the son-in-law of late Laxman Munda. The management gave no notice or any opportunity to show cause to the concerned workman before terminating his service on the baseless allegation that he was not the son-in-law of late Laxman Munda. On the above facts it has been proved that no Award be passed holding that the management's action in terminating the services of the concerned workman Shri Deo Narain, son-in-law of late Laxman Munda and Smt. Bijali Devi was illegal and unjustified and that the management be directed to reinstate the concerned workmen with full back wages and other benefits.

The case of the management is that the schedule of reference order is based on an erroneous presumption that Shri Deo Narain is the son-in-law of late Laxman Munda and Smt. Bijali Devi. The NCWA-II vide para 10.4.2 contains the provision that employment of a dependent of the workman who dies while in service will be provided. The dependent for this purpose means the wife/husband as the case may be, unmarried daughter, son and legally adopted son and if no such direct dependent is available for employment, younger brother/widowed daughter/widowed daughter in lieu or son-in-law residing with the deceased and almost wholly dependent on the earnings of the deceased may be considered to be dependent of the deceased. The dependent to be considered for employment should be physically fit and suitable for employment and aged not more than 35 years provided that the age limit shall not apply in the case of an espouse.

Shri Laxman Munda was working in Sayal 'D' Colliery of the management who expired on 21-7-79. His wife is Smt. Bijali Devi. She did not apply in her employment or the employment of any other dependent of late Shri Laxman Munda as per the provision of NCWA-II till 1982. In 1982 Smt. Bijali Devi in her application nominated Shri Deo Narain for her employment in place of her husband, by stating that the concerned workman Shri Deo Narain was son-in-law of her late husband and herself. The management believed the

statement made by Smt. Bijali Devi and offered employment to the concerned workmen in place of late Laxman Munda as a piece rated worker vide letter of appointment dated 12-11-84. Soon thereafter the management received a complaint from Jharkhand Mazdoor Sangh stating that Shri Deo Narain is the son of Shri Mobi Sao and not the son-in-law of late Laxman Munda. The management got the matter enquired which revealed that Shri Deo Narain is the son of Mobi Sao a Senior Clerk in Sayal 'D' Colliery and that Shri Deo Narain obtained employment by fraudulent means and by impersonation. Thereafter by an office order dated 23-11-84 Shri Deo Narain was stopped from work. The management has adequate proof and evidence to the effect that Shri Deo Narain impersonated as son-in-law of late Laxman Munda and Smt. Bijali Devi such being the case the concerned workmen was not entitled to be employed by the management and therefore the action taken by the management is perfectly legal and justified.

The case of the management further is that the reference to para 9.4.2 of NCWA-II in the order of reference is erroneous as the present case relates to the period when NCWA-II was in force between 1-1-79 and 31-12-82. It was further submitted by the management that para 10.4.2 of NCWA-II is applicable in the case of late Laxman Munda. The management also submitted that even if a son-in-law has been included as the dependent of deceased workmen, the son-in-law can seek employment only when the first group of the dependents are exhausted. On the basis of the above facts it has been prayed that the concerned workman is not entitled to any relief and that an Award be passed accordingly.

The points for decision in the case are :—

1. Whether the concerned workman Shri Deo Narain can be said to be the dependant under para 10.4.2 of NCWA-II ? and
2. Whether the concerned workman Deo Narain is the son-in-law of Laxman Munda ?

The management and the workmen each examined 4 witnesses in support of their respective case. Ext. W-1 and W-2 were marked as exhibits on behalf of the workmen and Ext. M-1 to M-5 were marked as exhibit on behalf of the management.

Point No. 1

Admittedly Laxman Munda died on 23-10-79 when NCWA-II was in force. NCWA-II was in force from 1-1-79 to 31-12-82 and thereafter NCWA-III came into force from 1-1-83. As such the provision of NCWA-II will be applicable in the case of the dependents of late Laxman Munda under para 10.4.2.

It will appear from the workmen's own exhibits Ext. W-1 dated 2-8-83 and the certificate Ext. M-2 dated 22-8-83 that Deo Narain was married to the daughter of late Laxman Munda and Bijali Devi in July, 1982 after the death of Laxman Munda. WW-1 the concerned workman Deo Narain has stated that late Laxman Munda who was working in Sayal 'D' Colliery died in 1979 and that he was married in July, 1982. It will thus appear from the evidence of the workman that Laxman Munda died in July, 1979 and that the concerned workman Deo Narain was married to the daughter of Bijali Devi in July, 1982. As Laxman Munda died the case of his dependent will be covered under para 10.4.2 of NCWA-II which was in force. Para 10.4.1 provides that employment will be provided to one dependent who meet with death while in service. The said provision was to be implemented as per para 10.4.2 of NCWA-II. Para 10.4.2 of NCWA-II provides that the dependent for the purpose means wife/husband as the case may be, unmarried daughter, son and legally adopted son and if as such direct dependent is available for employment, younger brother/widowed daughter/widowed daughter in law or son-in-law residing with the deceased and almost wholly dependent on the earnings of the deceased may be considered to be the dependent of the deceased. On reading of para 9.4.2 of NCWA-III it will appear that the son-in-law has not been included in the list of a dependent of the deceased for the purpose of giving employment. There is absolutely no ambiguity on this score and it has to be held under para 10.4.3 of NCWA-II that the son-in-law of a deceased workman is not entitled to get employment in place of a workman who died while in service.

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Para 9.4.2 of NCWA-III provides that the dependent for this purpose means the wife/husband as the case may be, unmarried daughter, son and legally adopted son and if no such direct dependent is available for employment, younger brother, widowed daughter/widowed daughter in law residing with the deceased and almost wholly dependent on the earnings of the deceased may be considered to be the dependent of the deceased. It will appear that para 9.4.2 of NCWA-III has excluded son-in-law as the dependent of the worker who dies while in service. Thus the concerned workman cannot claim to be a dependent as the son-in-law under para 9.4.2 of NCWA-III.

Another point of significant both under clause 10.4.2 of NCWA-II para 9.4.2 of NCWA-III is that if no such direct dependent like wife/husband unmarried daughter-son and legally adopted son is available for employment then only the other dependents stated in the later part of para 10.4.2 of NCWA-II and para 9.4.2 of NCWA-III can be given employment as dependent of the deceased workman. Thus under clause 10.4.2 of NCWA-II a son-in-law of a deceased workman could claim for employment as dependent of a deceased workman if no direct dependent i.e. wife/husband, unmarried daughter, son and legally adopted son are available for employment. Admittedly the wife of late Laxman Munda and 2 unmarried daughter were available for employment as dependent of late Laxman Munda and as such they alone were entitled for getting employment as dependent of late Laxman Munda. As those direct dependents were available for employment the son-in-law or other dependents enumerated in para 10.4.2 of NCWA-II cannot claim employment as dependent of the deceased Laxman Munda. Bijali Devi wife of late Laxman Munda and their two daughters who were unmarried daughter at the time of the death of Laxman Munda could have claimed for employment as they were the direct dependents of late Laxman Munda. It is only in the case when direct dependents were not available for employment that the other dependents could claim employment in place of the deceased workman.

There is yet another difficulty to a son-in-law claiming as the dependent of the deceased. In case a son-in-law claims employment as dependent of a deceased workman, he must be residing with the deceased and almost wholly dependent on the earnings of the deceased otherwise son-in-law cannot be considered as the dependent of the deceased workman. Firstly it will appear admittedly that the concerned workman Deo Narain who claims to be son-in-law of late Laxman Munda did not ever reside with the deceased and was never wholly dependent on the earnings of the deceased as he was married about three years after the death of Laxman Munda. It cannot therefore be said that the concerned workman was ever residing with the deceased Laxman Munda or was almost wholly dependent on the earnings of the deceased Laxman Munda.

On the evidence on record it does not appear that Deo Narain was wholly dependent on the earnings of Smt. Bijali Devi wife of deceased Laxman Munda. WW-1 Deo Narain the concerned workman has stated in his evidence that his wife Minwa is residing with him. He has further stated that presently he is also residing at Jainagar, village of Smt. Bijali Devi. In cross examination he has stated that Minwa used to reside in her father's house after the marriage. But he does not say that he was generally residing along with Bijali Devi at her place. WW-2 Minwa said to be the wife of the complainant has stated that she and her husband Deo Narain are residing with her mother and sometimes they reside at her father-in-laws house. WW-3 Bijali Devi has stated that her daughter and son-in-law reside with her and also at village Ba'kudra (village home of Deo Narain). None of these workmen witness claim that the concerned workman Deo Narain is almost wholly dependent on the earnings of Bijali Devi. On the contrary it will appear that Bijali Devi is a person of low means working as labourer and she has no property of her own so that she could maintain the concerned workman on her own earnings. As admitted by WW-1 Deo Narain that his father Mobi Sao who is working as a clerk appears to be a man of means who could maintain the concerned workman. The concerned workman WW-1 has stated that he married Minwa so that he may get employment as the dependent of late Laxman Munda. It is thus apparent that the concerned workman married Minwa only for the purpose of getting employment as dependent of late Laxman

Munda and that there is absolutely no evidence to show that the concerned workman was almost wholly dependent on the earnings of either deceased Laxman Munda or Smt. Bijali widow of late Lachman Munda.

For all the above reasons I hold that the concerned workman Shri Deo Narain cannot be said to be a son-in-law almost wholly dependent on the earnings of either late Laxman Munda or Smt. Bijali Devi and as such I have no hesitation in holding that the concerned workman is not a dependent of late Laxman Munda as contemplated either under para 10.4.2 of NCWA-II or para 9.4.2 of NCWA-III.

Point No. 2

It is admitted by both the parties that the concerned workman Shri Deo Narain is the son of Mebi Sao, MW-1 Kalagham who had first made a complaint before the management vide Ext. M-4 dated 16-11-84 has also stated that Deo Narain Sao is the son of Mebi Sao working as an Assistant in Sayal 'D' Colliery in the C.M.P.F. section. In Ext. M-4 also MW-1 has stated that Deo Narain son of Mebi Lal Sao is trying to get employment by falsely describing himself as son-in-law of late Laxman Munda. WW-1 is the complainant Deo Narain who has stated that he is the son of Ganesh alias Mebi Sao. He has stated that his father Mebi Sao is working in Sayal 'D' Colliery as an Assistant in the office and that his father is known as Ganesh in the village. MW-2 Shri Bijoy Swarup who is working as a Personnel Officer since 1985 in Sayal 'D' Colliery has stated that he knows Mebi Sao working as Sr. Clerk in C.M.P.F. section of Sayal 'D' Colliery. He has stated that the employees have to make a declaration of family members for leave travel concession and that Ext. M-5 is the declaration of Shri Mebi Sao regarding his family members. Ext. M-5 shows that Deo Narain aged 22 years is the son of Mebi Sao. This declaration was given by Mebi Sao on 10-1-84. Thus all these evidence clearly establish the information Deo Narain is the son Mebi Sao.

The workman have filed two documents. Ext. W-1 is an affidavit of Bijali Devi dated 2-8-88. Ext. W-1 shows that her daughter Minwa was married to Deo Narain in village Balkudra in July, 1982. Ext. W-2 is a certificate granted by WW-4 Puran Ram Saha, Mukhiya of Patratu Gram Panchayat Hazaribagh dated 11-3-83. In this certificate Ext. W-2 the Mukhiya has described informant Deo Narain as son of Ganesh of village Balkudra. WW-4 belonged to village Patratu and Deo Narain and his father belonged to village Balkudra and as such WW-4 is not expected to know the father of Deo Narain personally. WW-4 has stated that Deo Narain had told him that his father's name is Ganesh and accordingly WW-4 has stated Deo Narain as the son of Ganesh of Balkudra. It appears that WW-4 does not know Mebi Sao and as such it was not possible to show that the name of Ganesh is Mebi Sao also. WW-2 Minwa described himself as the wife of Deo Narain but she does not know if her father-in-law Ganesh as another named Mebi Sao. WW-3 Bijali Devi widow of Laxman Munda also does not know that Ganesh was known as Mebi Sao. The evidence of WW-2 Minwa who described herself as the wife of Deo Narain does not appear to be very convincing and truthful when she has stated that her father-in-law Ganesh was working as labourer in the village when admittedly according to MW-1 Deo Narain it will appear that Ganesh alias Mebi Sao working in Sayal 'D' Colliery as an Assistant in the office. However, such convincing evidence does not exactly falsify the fact that Deo Narain is not the son of Mebi Sao alias Ganesh Sao.

The management has examined MW-1, MW-3 Kartik and MW-4 Gahana Munda to show that Minwa daughter of late Laxman Munda of Bijali Devi was not married to Deo Narain and that she was married to Birju Munda son of Dhaneswar Munda of village Kaniharat. The workman on the other hand examined WW-1 Deo Narain, WW-2 Minwa, WW-3 Bijali Devi and WW-4 Puran Ram Sao to show that Minwa was married to Deo Narain. It has not been denied or doubted by the management that WW-2 Minwa is not the daughter of late Laxman Munda. WW-3 Bijali Devi is also admittedly the wife of late Lachman Munda and mother of Minwa. The evidence of WW-2 and WW-3 therefore appears to be evidence of very competent witness. There is no reason as to why WW-3 Bijali Devi would depose falsely that her

daughter Minwa has been married to Deo Narain. There is also no reason for WW-2 Minwa to depose falsely that Deo Narain is her husband. I do not think any married girl would described herself to be the wife of another person. WW-1 Deo Narain has also stated that he is married to Minwa daughter of late Lachman Munda. He has given reason as to why he being a Sav has married a Munda girl. WW-1 has stated that he married Minwa in order to get employment in place of her deceased father. During these days of unemployment it is quite possible that Deo Narain took Minwa as her wife so that he could get employment in place of her deceased father who had died while in service. To support them is the evidence of WW-4 Puran Ram Sao who is the Mukhiya of Patratu Gram Panchayat. Village Jainagar is within Patratu Gram Panchayat and as such WW-4 is the Mukhiya of the Gram Panchayat in which Bijali Devi resides. WW-4 has stated that he had attended the marriage of Minwa with Deo Narain and as such it appears that he had a personal knowledge regarding the marriage of Minwa with Deo Narain which took place in village Jainagar within Patratu Gram Panchayat. This WW-4 had given the certificate Ext. W-2 dated 22-2-83 stating that Minwa daughter of late Laxman Munda of Jainagar was married to Deo Narain son of Ganesh of village Balkudra. WW-4 has stated that Ext. W-2 contains his note of identification and signature.

MW-1 Kalagham neither belongs to village Jainagar nor to village Balkudra. He is working in Sayal 'D' Colliery and is an office bearer of Jharband Mazdoor Sangh. He has stated that Minwa was married in 1984-85 but he does not know her husband's name. MW-1 had made the complaint Ext. M-4 and thereafter the work of Deo Narain was stopped. MW-3 Kartik has described himself as the son of late Laxman Munda. He has stated that Minwa and Leekhi are his two sisters. He has stated that about 3 years ago Minwa was married to Birju Munda son of Dhaneswar Munda. He has also stated that after the death of his father his mother Bijali Devi married Sukra Munda. Although MW-3 has described himself as the son of late Laxman Munda WW-3 Bijali Devi who is admittedly the widow of late Laxman Munda has stated that she had no son named Kartik. WW-2 Minwa also has stated that she has no brother named Kartik. I find no reason for the mother and the sister to disown Kartik had he been the son of Bijali Devi and brother of Minwa. The management has examined MW-4 Gahana Munda who has stated that late Laxman Munda was his uncle. He has no doubt supported that Laxman Munda have son named Kartik Munda and that Minwa daughter of late Laxman Munda is married to Birju Munda. It will appear from the evidence of MW-4 that MW-1 Kalagham is the main person who is taking great interest in the case to show that Deo Narain is not married to Minwa and it was Kalagham who had brought MW-4 Gahana Munda and MW-4 Kartik to depose in the case. In my opinion the witnesses examined on behalf of the management are not so competent as the witnesses examined on behalf of the workman who are very closely related to late Laxman Munda. Taking all the facts and evidence into consideration I hold that Deo Narain is married with Minwa daughter of late Laxman Munda.

In the above view of the matter I hold that the concerned workman Deo Narain is the son-in-law of late Laxman Munda.

Although I have held that Deo Narain is the son-in-law of late Laxman Munda the concerned workman Deo Narain cannot claim employment as the dependent son of late Laxman Munda as discussed and found above in point No. 1.

In the result, I hold that the action of the management of Sayal 'D' Colliery of M/s. CCL in terminating the services of the concerned workman Shri Deo Narain son-in-law of late Laxman Munda and Smt. Bijali Devi who was appointed under para 9.4.2 of NCWA-III or (para 10.4.2 of NCWA-II) is legal and justified and accordingly the concerned workman is entitled to no relief.

This is my Award.

I. N. SINHA, Presiding Officer
[No. L-24012/167/86-D.IV (B)/IR (Coal-II)]

का. आ. 3391;—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स भारत कोकिंग कोल लिमि. की पुटकी कोलियरी के प्रबंध-तंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधि-करण (सं. 1), धनबाद के पंचाट को प्रकाशित करती है, केन्द्रीय सरकार को 20-11-90 को प्राप्त हुआ था।

S.O. 3391.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Pootkee Colliery of M/s. Coking Coal Ltd. and their workmen, which was received by the Central Government on the 20-11-90.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under sec. 10(1)(d) of I.D. Act Reference No. 125 of 1990

PARTIES :

Employers in relation to the management of Pootkee Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

STATE : Bihar

INDUSTRY : Coal

For the Workmen : None.

Dated, the 12th November, 1990

AWARD

By Order No. L-20012(304)/89-I.R.(Coal-I), dated 24th May, 1990, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal.

"Whether the demand of Bihar Colliery Mazdoor Sabha for deployment of Janaf Nasir Mian Miner/Loader, Potkee Colliery of M/s. Bharat Coking Coal Ltd. on surface duty is justified ? If not, to what relief the workman is entitled to ?"

2. The order of reference to the present industrial dispute was received in office of this Tribunal on 4-6-90. Despite specific direction in the order of reference neither the concerned workman nor the sponsoring union, Bihar Colliery Mazdoor Sabha, Kusunda, Dhanbad, appeared and filed statement of claim with supportive documents. In the circumstances, notice was issued to the sponsoring union directing to appear and file written statement with supportive documents. The management was also directed to appear and take step. In response to the notice, the management appeared, but the sponsoring union or the concerned workman did not. Hence, I am constrained to hold that the concerned workmen on the sponsoring union is not interested in prosecuting the present industrial dispute.

3. According, I pass a 'no dispute' award in the present reference case.

This is my award.

S. K. MITRA, Presiding Officer
[No. L-20012/304/89-IR(Coal I)]

का. आ. 3392;—औद्योगिक विवाद अधिनियम, 1947 (1947 का 19) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स भारत कोकिंग कोल लिमि. की कूया कोलियरी के प्रबंध-तंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधि-करण (सं. 1), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-11-90 को प्राप्त हुआ था।

S.O. 3392.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Kuya Colliery of M/s. Bharat Coking Coal Ltd. and their workmen, which was received by the Central Government on the 20-11-90.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 85 of 1990

PARTIES :

Employers in relation to the management of Kuya Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen

APPEARANCES :

For the Employers : Shri S. N. Sinha, Advocate.
For the Workmen : None.

STATE : Bihar

INDUSTRY : Coal

Dated, the 7th November, 1990

AWARD

By Order No. L-20012/300/89-I.R.(Coal-I), dated 'nū' the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by the clause (d) of sub-section (1) and sub-section (2-A) of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Kuya Colliery under Bastacela Area of M/s. BCCL P.O. Jharia, (Dhanbad) in dismissing Shri Kalicharan Manjhi, miner vide letter No. P/HTG(12)/88-125 dated 21-1-1988 is justified ? If not, to what relief the workman is entitled to ?"

2. The order of reference was received in the office of this Tribunal on 24-4-90. Despite specific direction in the order of reference neither the concerned workman, Kalicharan Manjhi, miner, nor the sponsoring union Rashtriya Colliery Mazdoor Congress, Jharia, Dhanbad, appeared and filed statement of claim supportive documents. In the circumstances, notice was issued directing the sponsoring union to appear and submit statement of claim and supportive document. The management was also directed to appear and to take step. In response to the notice the management appeared but neither the sponsoring union nor the concerned workman appeared.

3. Hence, I am constrained to hold that the sponsoring union of the concerned workman is not interested in prosecuting the present industrial dispute.

4. Accordingly, I pass 'no dispute' award in the case.

This is my award

S. K. MITRA, Presiding Officer

[No. L-20012/300/89-IR(Coal-I)]

का. आ. 3393:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में, केंद्रीय सरकार मेसर्स भारत कोकिंग कोल लिमि. की मुरादाह कोलियरी के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केंद्रीय सरकार औद्योगिक अधिकरण (सं. 1), धनबाद के पंचपट का प्रकाशित करती है, जो केंद्रीय सरकार का 20-11-90 का प्राप्त हुआ था।

S.O. 3393.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Muraidih Colliery of M/s. Bharat Coking Coal Ltd. and their workmen, which was received by the Central Government on 20-11-1990.

ANNEXURE

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Section 10(1)(d) of I. D. Act

Reference No. 147 of 1990

PARTIES :

Employers in relation to the management of Muraidih Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri D. Mukherjee, Secretary, B.C.K. Union.

STATE : Bihar

INDUSTRY : Coal

Dated, the 13th November, 1990

AWARD

By Order No. L-20012/279/89-I.R. (Coal-I), dated, the 15th June, 1990, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of the Industrial Disputes Act 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the demand of the Bihar Colliery Kamgar Union for employment of the dependent son of Shri Bandhu Mian No. II of Barora Section of Muraidih Colliery of M/s. Bharat Coking Coal Ltd. is justified? If so, to what relief the workmen is entitled to?"

2. The order of reference to the present industrial dispute was received in the office of this Tribunal on 20-6-90. Despite specific direction in the order of reference the sponsoring

union did not appear and file statement of claim with supportive documents. In the circumstances, notice was issued directing the sponsoring union to appear and file written statement with supportive documents. The management was also directed to appear and take step. In response to the notice both the management and the sponsoring union appeared. But ultimately Shri D. Mukherjee, Secretary of the sponsoring union has submitted that he is not interested in prosecuting the present industrial dispute as the concerned workman is not traceable. Hence, I am constrained to pass a 'no dispute' award in the present reference case.

This is my award.

S. K. MITRA, Presiding Officer

[No. L-20012(279)/89-IR (Coal-I)]

का. आ. 3394:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में, केंद्रीय सरकार मेसर्स भारत कोकिंग कोल लिमि. की सामंती प्रबंधन विभाग के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच में अनुबंध में निहित औद्योगिक विवाद में केंद्रीय सरकार औद्योगिक अधिकरण, सं. 2, धनबाद के पंचपट का प्रकाशित करती है, जो केंद्रीय सरकार 20-11-90 का प्राप्त हुआ था।

S.O. 3394.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 2), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Materials Management Division of M/s. B.C.C.L. and their workmen, which was received by the Central Government on 20-11-1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 268 of 1987

In the matter of an industrial dispute under Section 10(1)(d) of the I. D. Act, 1947

PARTIES :

Employers in relation to the management of Materials Management Division of M/s. Bharat Coking Coal Ltd. and their workmen.

APPEARANCES :

On behalf of the workmen—Shri J. D. Lall, Advocate.

On behalf of the employers—Shri G. Prasad, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, the 9th November, 1990

AWARD

The Government of India, Ministry of Labour and Rehabilitation in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 had referred the following dispute to the then Central Government Industrial Tribunal No. 3, Dhanbad for adjudication vide Ministry's Order No. L-20012(112)/83-D.II(A), dated the 20th August, 1983. Subsequently vide Ministry's Order No. L-20025(1)/87-D.II (A) dated July, 1987 the said reference has been transferred to this Tribunal from the then Central Government Industrial Tribunal No. 3, Dhanbad.

SCHEDULE

"Whether the action of the management of Messrs Bharat Coking Coal Limited, Dhanbad in not granting promotion to Sarvashri R. S. Shahi, R. K. Singh and Shamshad Khan of Materials Management Division along with the personnel of Regional Stores is

justified? If not, to what relief are the said workmen entitled and from what date?"

The case of the workmen is that the three concerned workmen are working as Storekeepers in Clerical Grade-I in Materials Management Division of the Headquarters of M/s. BCCL, Dhanbad since long. Their departmental heads and other authorities in their department recommended several times for their promotion as Sr. Storekeepers in the Clerical Special Grade as their work was found to be very satisfactory. The management in the personnel department did not take any action to clear their case of promotion which is long overdue. The concerned workmen made several representations to the management for their promotion which is not allowed. As the management did not take any step for promoting them as Sr. Storekeeper they got an industrial dispute raised through their union (KUMS), Dhanbad before the Central Government conciliation machinery. The conciliation machinery took up the conciliation matter but the conciliation failed and thereafter on receipt of failure report the Government of India in the Ministry of Labour referred the present dispute for adjudication. It was made quite clear during the conciliation proceeding that virtually different rules were followed by the management according to their convenience in the matter of promotion of one set of workers and the management is indulging in favouritism and nepotism even in clear case of promotion of workers. The management has no regard regarding the recommendations of the authority of the Materials Management Division in the matter of promotion of its employees which has caused detrimental effect in the genuine interest of such employees. The management does not care for the seniority of the employees in the matter of their promotion. The management have indulged in undermining seniority of the concerned workmen and their juniors have been promoted. The concerned workman Shri R. K. Singh has got his notional seniority with effect from 15-2-71, the concerned workman Shri R. S. Shahi has got his promotion on 16-8-75 and the concerned workman Shri Shamshad Khan has got promotion on 16/17-6-77 as Stores Clerk in Clerical Grade-I.

M/s. BCCL have formulated a cadre scheme and promotional policy for the promotion of its employees from lower grade to the higher grade. M/s. BCCL has a cadre scheme for promotion of Stores personnel attached to the Area/Collieries. The concerned workmen who were attached to the Headquarters are not covered by the said cadre scheme for promotion of Stores Personnel attached to Area/Collieries. The management did not consider the case of the concerned workmen for promotion alongwith other eligible workmen inspite of various recommendations made from time to time and the junior workmen working in the Regional Stores and other stores were promoted but the concerned workmen were not promoted in Clerk Special Grade due to administrative lapses. The concerned workman were not less deserving for promotion in Clerical Special Grade than those who were given promotion in the Area. The Regional Stores at different Areas cater to the needs of that Area and the workmen are transferable from one Area to another Area and to other offices. The concerned workmen were originally transferred from the Regional Stores to the Materials Management Division and are also liable to be transferred back to the Regional Stores. From 1977 till now the management failed to constitute the promotion committee for promoting Stores Clerk to the post of Sr. Stores Clerk in the headquarters inspite of various vacancies in the post of Sr. Storekeepers. As a result of this junior employees working in the Regional Stores got promoted to the post of Sr. Storekeepers and the concerned workmen are still stagnating in the same post of Storekeeper for about 10 years or more. As the management did not implement the circular in respect of headquarters including materials Management Division personnel, the concerned workmen should have been considered for promotion to the post of Sr. Storekeepers along with their employees of Regional Stores.

The contention of the employer that the present industrial dispute is not maintainable cannot be entertained. The work in the office of Materials Management Division of BCCL is connected with the work of the mine and hence their work is incidental to the Mining Operation and as such the Central Government is the appropriate Government in respect of the present dispute. The Central Government has declared the

industry engaged in the production of coal as a controlled industry under Section 2 of the I. D. Act and as such the Central Government is the appropriate Government in respect of such industry. The entire industry engaged in mining of coal including its head office and other attached offices will come under the notification and the Central Government is the appropriate Government in respect of the present dispute.

On the above facts it is prayed on behalf of the workmen to pass an Award holding that the action of the management in not granting promotion to the concerned workmen along with the personnel of the Regional Stores is not justified and that the concerned workmen are entitled for promotion as special grade clerks Sr. Storekeepers from the date prior to the date of promotion of their junior so that their seniority is protected along with other connected benefits.

The case of the management is that the present reference is not maintainable. The Materials Management Division of BCCL is located at Jangpura which is far away from any mine/coal Mines and is not a "Mine" as defined under Section 2(j) of the Act and as such the Central Government is not the appropriate Government with regard to the Materials Management Division. The reference is therefore bad and without jurisdiction. The concerned workmen are not persons employed in a mine as defined under Section 2(j) of the Mines Act, 1952 and as such the Tribunal which has been stated by the Central Government has no jurisdiction to adjudicate upon the present industrial dispute. The promotion is management function and it cannot be claimed as a matter of right and it is the discretion of the employers to select persons for promotion.

M/s. BCCL have formulated cadre scheme and promotional policy for the promotion of workmen from a lower grade to a higher grade and any individual recommendation out of turn in breach of the cadre scheme/promotional policy cannot be given effect. Any such individual recommendation is not binding on the management or the authorities to whom such recommendation is made. The recommendation of the Departmental Promotion Committee (herein after referred to as D.P.C. for brevity) have since been implemented in the case of the three concerned workmen and they have been promoted as Storekeeper in Clerical Grade-I. The three concerned workmen who had been posted at Koyala Bhawan in the M.M. Division were transferred by an office order dated 17-2-82 to different stores and were released by an office order dated 27-2-82. The management has a cadre scheme for promotion of Stores personnel attached to Areas/Collieries. The concerned workmen who are attached to the headquarters are not covered by the said cadre scheme which is applicable to the Assistant Storekeeper/Storekeeper/Sr. Storekeeper attached to the Area/Collieries. The management of BCCL for administrative reasons have set up one Regional Stores at different Areas of BCCL and have a number of Regional Stores having nothing in common between them except that they all are owned by M/s. BCCL. Such Regional Stores are independent unit and industrial establishment. The materials management division of the headquarters is an independent union and industrial establishment. Each Regional Stores attached to the Area has its own seniority list. The materials management division of the headquarters has a separate list of seniority and the seniority list of the Regional Stores cannot be considered for the promotion of the Stores Clerks of the Management division of the headquarters. As the materials management division of the headquarters is a separate unit and is separate establishment from the Regional Stores, the concerned workman cannot claim to be considered for promotion from Stores Clerk to Sr. Stores Clerk along with the promotion of Stores Clerk of the Area of the post of Senior Stores Clerk.

The three concerned workmen were transferred to the different Stores in order to provide opportunity to them so that their case may be taken up for promotion while considering the promotion of Storekeeper to the post of Sr. Storekeepers of the Area by the D.P.C. Unfortunately the concerned workmen did not report for duty at the new place of their transfer in the Regional Stores and consequently they could not be considered along with the workmen of the Area of promotion as per promotional policy of the Stores Personnel applicable to the Collieries/Areas. Now a cadre scheme/staffing pattern for headquarters stores personnel is under considera-

tion and the case of the concerned workmen may be considered at the appropriate time. It is not a case of supersession of promotion of the concerned workmen and on the contrary it is a case for promotion of the concerned workmen along with the personnel of Regional Store and the said scope cannot be enlarged by the Tribunal. On the above facts it has been prayed on behalf of the management to pass an Award in favour of the management rejecting all claims of the concerned workmen.

The points for decision are :—

1. Whether the action of the management in not promoting the three concerned workmen of Materials Management Division of the headquarters along with the personnel of Regional Stores is justified and
2. Whether the employees working as Stores Keepers in the office of the Materials Management Division of headquarters at Dhanbad are connected with the Mining Operations?

The management examined one witness in support of their case. The workmen did not examine any witness. The documents of the management have been marked Ext. M-1 to M-26 and the documents of the workmen have been marked Ext. W-1 to W-20.

Point No. 1

It is the admitted case of the parties that the three concerned workmen are working as Storekeepers in Clerical Grade-I in Materials Management Division of M/s. BCCL headquarters Dhanbad since before 1980. It will further appear from Ext. M-2 and M-3 that the two concerned workmen namely Shri R. K. Singh and R. Shahi were working as Assistants in the Stores and Purchase department Jealgora and the concerned workmen Shamshad Khan was working as Assistant at Bhuggatdih Building prior to their selection for the post of Storekeeper and that they had applied for their selection as Storekeeper vide the circular Ext. M-1 dated 2-5-1975. Ext. M-5 is the notesheet of the selection committee dated 30-6-75 by which out of the 32 candidates called for interview for being selected as Storekeeper in Clerical Grade-I 28 had attended before the selection committee. It further shows that 14 persons were selected in the first list which includes the name of one of the concerned workmen Shri R. S. Shahi. The selection committee by another list of 11 employees were transferred to Stores department in their existing scales and were assigned duties in the stores side. The committee felt that their performance was to be watched for 6 months and thereafter their case was to be reviewed and if considered suitable they may be given the post of Storekeeper. This list of 11 employees included the names of concerned workmen Shri R.K. Singh and Md. Shamshad Khan. Ext. M-6 dated 16-8-75 is the office order who were found suitable for promotion to the post of Storekeepers and they were accordingly promoted to the post of Storekeeper and were posted at the place mentioned against their names. This office order relates to the selection of 14 persons who were selected in the first list of the selection committee vide Ext. M-5. Ext. M-7 dated 16/17-9-76 is a letter from the Dy. Personnel Manager, Man power recruitment of Karmik Bhawan BCCL to the Dy. Materials Manager BCCL Jealgora Building which gives the names of the 11 employees recommended by the Selection Committee for their transfer to Stores department in their existing scale and assigned duties in the Stores side and their performance was to be watched for 6 months and thereafter their case was to be reviewed and if considered suitable they were to be given the post of Storekeeper. It appears that after the requirement of the said promotion of the 11 employees they were appointed as Storekeeper and had joined and therefore the material Manager of Jealgora Building was requested to intimate the date of joining of the employees on their transfer at Stores and Purchase department. Ext. M-8 dated 9-12-79 shows that the concerned workman Shri R. K. Singh was found suitable for promotion to the post of Storekeeper and accordingly he was promoted to the post of Storekeeper and his notional seniority was given from 15-2-77. M-1 Shri R. N. Mitra working as Sr. P.O. has stated that Shri R. K. Singh was promoted to the post of Storekeeper and had joined as such. There is no dispute about the fact that the concerned workman Shamshad Hussain also joined as Stores

Clerk after he was found suitable for promotion to the post of Storekeeper. So far the concerned workman Shri R. S. Shahi is concerned he was in the first list of the selection committee and he was promoted and was to report before the Assistant Materials Manager, Bhowra Regional Stores vide Ext. M-6. MW-1 has clearly stated that the three concerned workmen had applied for the post of Storekeeper in 1975 along with others and that the selection committee recommended 14 persons for being appointed as Storekeeper which list included the name of the concerned workman Shri R. S. Shahi. MW-1 further stated that the selection committee recommended the names of 11 persons including the concerned workman Shri R. K. Singh and Shamshad Khan for watching their performance for 6 months and thereafter to consider their case. Thus as I have stated at the outset, there is no dispute about the fact that the concerned workmen were working as Storekeepers in Clerical Grade-I since before 1980.

It will appear from the schedule to the order of reference of the present case that the demand of the workmen is that the three concerned workmen working in the M.M. Division of the headquarters of BCCL should be given promotion along with personnel of Regional Stores. Thus in essence the demand of the workmen is that the promotion of the three concerned workmen from the post of Storekeepers to the post of Sr. Storekeepers should have been considered along with the promotion of the Storekeepers of the Regional Stores to the post of Sr. Storekeepers. The case of the management on the other hand, is that each Regional Stores has its own seniority list in respect of personnel of materials management department and that there is separate section of materials management in the headquarters which has its own seniority list and which is a separate unit of the establishment. According to the management the promotion of the Stores personnel upto the grade of clerical special grade are considered Area-wise in respect of the different Areas and the promotion of the personnel of the materials management of the headquarters is made on headquarters basis, i.e., to say; that the promotion of the personnel of the materials management division of the headquarters is considered in respect of the personnel working in the headquarters in the materials management Division only and as such the promotion of the stores personnel of the headquarters cannot be considered along with the promotion of the stores personnel of the different Areas. In support of the case of the management, the promotion policy for ministerial cadre of BCCL Ext. W-19 dated 20-6-77 has been filed. At the first instance Ext. W-19 states the names of the officers who would constitute the D.P.C. for the ministerial cadres of the headquarters and the Area/unit of the Colliery. It will show that there are different departmental promotion committees for supervisory grade on companywise basis D.P.C. for special grade Clerks for the headquarters staff, D.P.C. for Grade I for the headquarters staff, D.P.C. for special Grade clerk and Gr-I clerk at the Area and D.P.C. for Grade-II clerks at the Colliery/unit level. The channels of promotion are stated in the Annexure. In para-6 and 6.1 the principles of promotion are stated. It is stated that for the purpose of promotion from Grade-III to Grade-II and from Grade-II to Grade-I employees will be promoted on the basis of seniority as the main criteria, subject to their satisfactory performance and the employees from Grade-I to Special Grade will be promoted on the basis of seniority-cum-suitability through D.P.C. It further provides that for promotion from special grade to Supervisory Grade will also be on the basis of seniority-cum-merit through D.P.C. Regarding principles of seniority it is stated in para 7.1 that seniority will be counted from the date an employee has been appointed/promoted to a particular grade. Ext. M-19 also contains the promotion policy for ministerial cadre in BCCL. Para 3.2 provides promotion into various grades. It provides that in the scale of supervisory grade promotion will be made on companywise basis against available vacancies and the D.P.C. will include eligible candidates from the Areas as well as the headquarters except for finance and the accounts. It further provides that in the scale of special grade promotion will be made by the D.P.C. Area-wise and Headquarter-wise and that the headquarters will include all the directorates and Central services regarding scale of grade-I promotions are to be conducted. Area-wise and Headquarter-wise by the D.P.C. It is thus clear from the promotion policy of the ministerial cadre that upto the leave of the special grade promotions are to be made on

the basis of Areawise and headquarterwise. MW-1 has stated that there is Materials Management Division of BCCL at the headquarters at Koyalnagar. He has stated that each Area has one Regional Stores. He has stated that Materials Management Division has personnel working in the stores, and the stores personnel of Materials Management Division and the Stores Personnel of the Regional Stores are in the same stores cadres. He has stated that the promotion in BCCL is done on the recommendation of the D.P.C. He has also stated that the names of the concerned workmen had not been recommended by the D.P.C. prior to their recent promotion. It appears that he is referring to the promotions of the concerned workmen from Storekeepers to the post of Sr. Storekeepers in Clerk Special Grade vide Ext. M-25 dated 22/23-2-89. In cross-examination MW-1 has stated that all the stores personnel come in one cadre and are liable to be transferred from one stores to the other. He has stated that the Regional stores is under the control of the Area Management. He has also stated that the Central Stores, Jealgora, Civil Engineering Stores, Central Hospital Stores and the Stores of the Materials Management Division are under administrative control of the headquarters. He has further stated that in the Ministerial cadre there are 4 cadres including Stores cadre. He has stated that the personnel of the stores are to be considered in promotion of Stores cadre. He has stated that the Sr. Stores Clerk is in the special clerical grade and that upto special grade the promotion is on Areawise and headquarterwise basis. All the stores under the headquarters come within the jurisdiction of the headquarters which includes Civil Stores also and their seniority list is separately maintained. It will appear from his evidence that seniority list is separately maintained in respect of the Areas and headquarters and the promotion is considered on the basis of the said seniority list. He has further stated that the consideration for promotion from Storekeeper to Sr. Storekeeper is on the Areawise and quarterwise basis. His evidence appears to be in accordance with the promotion policy for the ministerial cadre and there appears to be no reason to doubt the truth of his evidence. It will appear from the very case of the workmen in their W.S. and their rejoinder that the concerned workmen are claiming their promotion from Storekeepers to Sr. Storekeepers along with the promotion of Storekeepers of the Regional Stores to the post of Sr. Storekeepers. The workmen have not examined any witness to show that the promotion of the stores personnel of the Materials Management Division of the headquarters is considered along with the promotion of the stores personnel of the Area. There is also no evidence to the effect that there has been any case of supersession of the concerned workmen by their junior working in the materials management division of the headquarters. In view of the promotion policy of the management, and evidence of the MW-1 it is quite clear that the promotion of Storekeeper of Materials Management Division of the headquarters cannot be considered along with the promotion of the Storekeeper of Materials Management of the Area to the post of Sr. Storekeepers. The Office orders in the case have been exhibited to show that there have been promotion from storekeepers to the post of Sr. Storekeepers by the D.P.C. in respect of the different Area Office. Admittedly there has been no promotion from Storekeeper to Sr. Storekeeper in the Materials Management Division of the headquarters since the promotion of the concerned workmen to the post of Storekeepers. It is quite possible that storekeepers who had joined subsequent to the joining of the concerned workmen to the post of Storekeepers have been promoted, but as the selection of the Storekeepers to the post of Sr. Storekeepers is done on the Areawise basis for which separate seniority list is maintained, it cannot be said the seniority of the concerned workmen in the seniority list of Materials Management Division of the headquarters has not been maintained and that juniors to them have been promoted in the Area. As the Area and the headquarters have separate seniority list and are distinct units the seniority of the one unit cannot be compared with the seniority of the other unit. As such it cannot be said that juniors to the concerned workmen have been promoted from Storekeepers to the post of Sr. Storekeepers disregarding the seniority of the concerned workmen.

The management's own officer Shri R. S. Sodhi Chief Materials Manager wrote vide Ext. W-3 dated 8-6-81 regarding the promotion of storekeepers posted in the headquarters. It will appear that a representation dated 27-4-81 was received from the concerned workmen in regard to their promotion

in which they had their grievance that they were posted at headquarters in the interest of the work but their promotion was neither considered with the ministerial staff of the headquarters nor with the stores staff posted in the Area is a result they are being deprived of their promotion for the last 5 years. On the basis of the said representation Shri Sodhi had recommended that the request of the concerned workmen deserves consideration on the ground that these storekeepers were retained/posted in the stores section at the headquarters to utilise their practical stores knowledge which is not normally possessed by the ministerial staff. He further stated that as the postings of the above storekeepers was in the larger interest of work, in all fairness they should be given promotion either by creating special provision for posting of storekeepers at headquarters or keeping them in lieu on behalf of the Regional Stores. It appears that the said note of Shri Sodhi in Ext. W-3 was appreciated by the management and vide office order Ext. M-24 dated 27-2-82 it appears that the three concerned workmen along with another were transferred to different Regional Stores vide office order dated 17-2-82 but they did not join and as such they were released with immediate effect and were directed to report for their duties immediately to their respective controlling officers. It appears that the management thought out a via media to ameliorate the grievance of the concerned workmen so that if they join the Area their case for promotion from Storekeepers to the Sr. Storekeeper may be considered at the time of promotion in the Area by the D.P.C. as the management had not prepared a separate promotional policy for the headquarters which was long over due and was still under consideration. The management considered the interest of the concerned workmen and did transfer the concerned workmen to the Area so that they may get their promotion to the post of Senior Storekeepers in the Area but it appears that the concerned workmen did not avail of the opportunity given to them and they continued to remain in the headquarters. The concerned workmen therefore could not be promoted as Senior Storekeepers in the headquarters upto 1988. The management however promoted the three concerned workmen along with others to the post of Senior Storekeepers vide Ext. W-18 dated 22/23-2-89 but it appears that the concerned workmen did not join at the place of their posting on the ground that they cannot be transferred during the pendency of the present reference case. Now the fact remain that the concerned workmen have been promoted to the post of Sr. Storekeepers and after the disposal of this reference they can join their post as Sr. Storekeepers.

As discussed above the fact remains that the case of promotion of the concerned workmen from Storekeepers to the post of Senior Storekeepers working in the M.M. Division of the headquarters cannot be considered along with the promotion of the Storekeepers to the post of Sr. Storekeepers in the different Areas jointly as such the demand of the workmen for promoting the three concerned workmen of Materials Management Division of the Headquarters along with the personnel of Regional Stores is not justified.

Point No. 2

Admittedly, the concerned workmen are working as Storekeepers in Clerical Grade-I in the M.M. Division of M/s. BCCL at its headquarters in Koyalnagar. MW-1 who is working as Sr. P.O. at Koyalnagar, Dhanbad has stated that M.M. Division is at BCCL headquarters at Koyalnagar. He has further stated that M.M. Division have personnel working in the stores. He has also stated that there is no raising of coal in the headquarters of Koyalnagar. In cross-examination MW-1 has stated that the Central Stores Jealgora, Civil Engineering Stores, Central Hospital Stores and the Stores of M.M. Division are all under the control of headquarters. The workmen have not adduced any evidence to show that the duties assigned to the personnel of M.M. Division at the headquarters of BCCL has to do anything with the mining operation. It has been submitted on behalf of the management that the personnel working in the M.M. Division at the headquarters of BCCL are not workmen of Mining operation. According to the case of the workmen the work in the office of M.M. Division of M/s. BCCL is connected with the works of mine and hence the work is incidental to mining operations and therefore the Central Government is the appropriate Government who could refer the present industrial dispute to the Industrial Tribunal of

the Central Government. It has been submitted by Shri G. Prasad, Advocate appearing on behalf of the management that the present dispute raised is a service/cadre dispute and it is not a dispute concerning a mine. He further submits that the essence of a dispute does not depend upon the question as to whether the workmen concerned are doing work connected with a mine or not and that the work being performed by the concerned workmen may be connected with a mine but the raised dispute in the present case is not concerning a mine. In support of his contention Shri G. Prasad has referred to a decision made by this Lordships of the Patna High Court and reported in 1989 (2) BLJ page 324 (Employers in relation to the management of Jamadoba Colliery of M/s. TISCO vrs. Presiding Officer, CGIT No. 1, Dhanbad). The facts of the case reported in 1989 (2) BLJ is that Colliery of the management of TISCO, in Jharia Coalfield region has an independent Accounts section which is under the charge of a clerk known as Accounts Incharge. The employers of the above Collieries are under the overall control and subordination of Divisional Manager (Collieries). According to Majumdar Award Bonus and P.F. clerks were put in Grade-II and Leave Clerks were put in Grade-III. Out of the clerks working in the Collieries of Tisco 27 clerks were working either in the Bonus Section or Central Office or in the P.F. section of the Collieries and they were all placed in Grade-II. However 2 clerks were given Grade-III on their appointment. The said 29 clerks and 9 others were transferred to Central Bonus and P.F. Section in 1959. Out of them the said 29 persons raised an industrial dispute to the effect that they were entitled to the higher scale of pay in Grade-I. The said case was referred to CGIT No. 1, Dhanbad for adjudication and an Award was passed allowing Grade-I to all the 29 clerks irrespective of the fact whether they were initially appointed in Grade-II or Grade-III. The workmen concerned in the reported case were 15 in number and were admittedly working in the office of the Divisional Manager Jamadoba in the P.F. Section. They raised a dispute that they are entitled to a higher scale of pay as the job performed by them if compared with the job of the staff of the Accounts Office Jamshedpur, it will be found that the jobs of the workmen concerned were more responsible and complicated and as such they requested the management to revise their grades of clerks working in the Accounts Office. On an industrial dispute being raised by the union on their behalf the dispute was referred to CGIT No. 1, Dhanbad. The schedule of the said reference was whether the management of Jamadoba Colliery of M/s. Tisco, Jamadoba were justified in keeping their 15 workmen concerned in the office of the Divisional Manager (Collieries) in Clerical Grade-I, II or III as indicated against their names while those who were working as clerks with lesser responsibilities and under the guidance of the 15 concerned clerks are placed in Clerical Grade-I. His Lordship after discussing the facts and point of law elaborately came to the conclusion that the said industrial dispute raised by the union of the workmen does come within the purview of the words "concerning mine" and as such the appropriate Government for referring such dispute would be the State Government and not the Central Government. His Lordship had discussed at great length the decision made in AIR 1966 Supreme Court 921 (M/s. Serajuddin and Co. vrs. their workmen) and also discussed as to what constitute a mine. After going through the definition of 'Mines' under Section 2(i) of the Mines Act, 1952. His Lordship also took note of other decisions referred to in the reported case which in my opinion do not require to be discussed here by me. The evidence in the present case clearly shows that none of the concerned workmen have any direct contribution to make in respect of a job necessary to be carried out which is "connected with" or incidental to Mining operation in a Mine. The Mines Act contemplates that a person can be said to be employed in a mine if he is appointed by or with the knowledge of the Manager of the Mine. There is no evidence that the concerned workmen were appointed by or with the knowledge of the Manager of any mine. The concerned workmen admittedly look after the work of stores at the headquarters of BCCCL and as such it is evident that none of them are directly connected with the matter "connected with" or incidental to "Mining operation in relation to a mine." The Manager in terms of Section 17 of the Mines Act is incharge of a mine and the workmen who are employed in a mine therefore must be working under the control and supervision of the Manager

and the Manager is the only person to supervise or control the mining operation or any matter incidental to or connected with the mine. The manager of a particular colliery or mine have no jurisdiction to control the work of headquarters of BCCCL. It was also held in Serajuddin's case that the very fact that office of "a mine" has been separately defined in the Mines Act which goes to show that mine does not include the office of "a mine". I have only referred to some of the salient points of His Lordships judgement in the above mentioned reported case. It appears that the submission made on behalf of Shri G. Prasad has a great substance and is fully supported by the ratio decidendi of the case reported in 1989 (2) BLJ 324. In view of the above I hold that the concerned workmen working as Storekeepers in Stores of M.M. Division at the headquarters of BCCCL are not workmen of any mining operation and the present industrial dispute in respect of the concerned workmen is not an industrial dispute concerning a mine. As such I hold that the industrial dispute raised by the Union in this case does not come within the purview of the words "concerning a Mine" and as such the appropriate Government for referring such a dispute would be the State Government and not the Central Government under Section 2(a)(i) of the I. D. Act.

In the result, I hold that the action of the management of M/s. BCCCL in not granting promotion to the concerned workmen S/Shri R. S. Shahi, R. K. Singh and Shamshad Khan of M.M. Division of the headquarters of M/s. BCCCL along with the personnel of Regional Stores is justified and consequently they are entitled to no relief. I further hold that this Tribunal (CGIT No. 2, Dhanbad) is not the proper Tribunal which could decide the present industrial dispute as discussed above.

I. N. SINHA, Presiding Officer

[No. L-20025/1/87-D.III (A)] [IR (C-I)]

नई दिल्ली, 23 नवम्बर 1990

का. आ. 3395;—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स भारत कोकिंग कोल लिमि. की भूमर्या कोचियरी के प्रबंधन में सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (वं. 1), धानबाद के विवाद को प्रकट करती है, जो केन्द्रीय सरकार को 20-11-90 को प्राप्त हुआ था।

New Delhi, the 23rd November, 1990

S.O. 3395.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation of the management of Busserya Colliery of M/s. Bharat Coking Coal Ltd. and their workmen, which was received by the Central Government on the 20-11-90.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference U/s. 10(1)(d) of I.D. Act
Reference No. 13 of 1989

PARTIES :

Employers in relation to the management of Busserya Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen

APPEARANCES :

For the Employers : Shri G. Prasad, Advocate.

For the Workmen : Shri Lalit Burman, Vice President,
United Coal Workers Union.

STATE : Bihar

INDUSTRY : Coal

Dated, 5th November, 1990

AWARD

The present reference arise out of Order No. L-20012/5/88-D.IV(A), dated, the 27th January, 1989 passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :—

“Whether the action of the management of Busseriya Colliery of M/s. Bharat Coking Coal Limited, Dhanbad, in superannuating Shri Suleman Mian with effect from 11-10-1987 is justified ? If not, to what relief is the workman entitled ?”

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in Court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be made on the basis of terms and conditions laid down in the memorandum of settlement. I accept it and make an award accordingly. The memorandum of settlement shall form part of the award.

3. Let a copy of this award be sent to the Ministry as required under section 15 of the Industrial Disputes Act, 1947

S. K. MITRA, Presiding Officer

[No. L-20012/5/88-D.IV(A)]

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

Ref. No. 13/89

Employers in relation to the management of East Busseriya Colliery of M/s. BCCL.

AND

Their workman (Suleman Mian) represented by Unified Coal Workers Union.

The humble joint petition of compromise on behalf of the parties most respectfully sheweth :—

1. That, the parties discussed the subject matter of instant industrial dispute in the aforesaid reference, outside the court and have settled the said dispute on the following terms and conditions :—

Terms and conditions

1. That the concerned workman Sri Suleman Mian will be deemed to have been retired from service of the company w.e.f. 4-3-90 and he will be paid gratuity accordingly. (i.e. wages payable as on 4-3-1990).
2. That, Sri Suleman Mian will be paid 50 per cent of the wages for the period of his non-employment i.e. from 11-10-87 to 3-3-90 including allowances as he may be eligible for payment.
3. That, the concerned workman Sri Suleman Mian & the union sponsoring and raising the dispute shall have no claim whatsoever.
4. That, this agreement resolves all the pending dispute with respect to Sri Suleman Mian.
5. That, the settlement is fair and proper.
6. That, it was also agreed that seven copies of this agreement shall be filed before the Hon'ble Tribunal and the Hon'ble Tribunal may be requested to pass an award in terms of the settlement.

3200 GI/90—13

It is, therefore, prayed that your honour may be graciously pleased to accept the settlement and pass an award in terms of the settlement, and for this act of kindness the parties shall ever pray.

Representing workmen
Lalit Burman, Vice-President,
United Coal Workers Union.

Representing employers

(1) Sd/-
(2) Sd/-

Witnesses :
(1) Sd/-
(2) Sd/-

(Workman concerned if present)

Advocate

Place : Dhanbad.

Date : 5-11-1990.

Part of the Award.
Sd/- Illegible.

का. आ. 3396—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स भारत कोकिंग कोल लिमि. की बामुदियोपुर कोलियरी के प्रबंधन में सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 1), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-11-90 को प्राप्त हुआ था।

S.O. 3396.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Basudeopur Colliery of M/s. Bharat Coking Coal Ltd. and their workmen, which was received by the Central Government on the 20-11-90.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 4 of 1990

PARTIES :

Employers in relation to the management of Basudeopur Colliery of M/s. B.C.C. Ltd.

— AND

Their Workmen

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the Workmen : Shri Lalit Burman, Vice President,
United Coal Workers Union.

STATE : Bihar

INDUSTRY : Coal

Dated, the 9th November, 1990

AWARD

The present reference arises out of Order No. L-20012/129/89-I.R.(Coal-I), dated the 1st January, 1990 passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :—

“Whether the demand of United Coal Workers Union, Dhanbad for employment of dependent son of late Talo Dusat, Ex-Haulage Khalasi of Basudeopur Colliery under clause 10.4.2 of the NCWA-II on account of his death in harness is justified ? If yes, to what relief is the workman entitled ?”

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in Court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be made on the basis of terms and conditions laid down

in the memorandum of settlement. I accept it and make an award accordingly. The memorandum of settlement shall form part of the award.

3. Let a copy of this award be sent to the Ministry as required under section 15 of the Industrial Disputes Act, 1947.

S. K. MITRA, Presiding Officer
[No. L-20012/129/89-IR(Coal-I)]

ANNEXURE

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NO. 1 DHANBAD

Reference No. 4/90

Employers in relation to the management of Basdeoipur Colliery M/s. BCCL.

AND

Their workmen

Petition of Compromise

The humble petition on behalf of the parties to the above reference most respectfully sheweth :—

1. That the Central Government by notification No. L-20012(129)/89-IR(Coal-I) dated 1-1-90 has been pleased to refer the present dispute to the Honble Tribunal for Adjudication on the issue contained with schedule of reference which is reproduced below :—

SCHEDULE

“Whether the demand of the United Coal Workers Union Dhanbad for employment of dependent son of late Talo Dusadh. Houlage Khalasi of Basdeoipur Colliery under clause 10.4.2 of NCWA-II. On account of his death in harness is justified ? If yes, to what relief the workman is entitled ?”

2. That the above dispute has been amicably settled between the parties on the following terms :—

Terms of settlement

1. That, the dependent son Sri Rajendra Dusadh of late Talo Dusadh shall be given employment as Miner/Loader subject to his medical fitness.

2. That the dependent will submit the Identification Certificate, verification roll and attestation form as prescribed by the management with the photograph of the dependent duly attested by the Mukhiya and B.D.O. of the village of residence.

3. That, this settlement resolves all the disputes between the parties etc.

4. That, it was also agreed that 7 copies of this settlement should be filed before the Hon'ble Tribunal and the Hon'ble Tribunal may be requested to given an award in terms of the settlement.

It is, therefore, prayed that your honour may be Graciously pleased to accept the settlement and pass an award in terms of the settlement.

And for this act of kindness the parties shall ever pray.

For the workmen :

Sd/-
Advocate :

For the Employers
Sd/- (C. P. BANSAL)
Sd/- (R. K. CHOWDHURY)
Dy. C.P.M.

(1)
(2)

(2) (यमुना सिंह)

Advocate :

Dated 30th October, 1990.

Part of Award

का. आ. 3397;—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुमरण में, केन्द्रीय सरकार मैसर्स भारत कोकिंग कोल लिमि. की कनकनी कोलियरी के प्रबंध-तंत्र में सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 1), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-11-90 को प्राप्त हुआ था।

S.O. 3397.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Kankanee Colliery of M/s. Sharad Coking Coal Ltd. and their workmen, which was received by the Central Government on the 20-11-90.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference U/S. 10(1)(d) of I.D. Act, 1947

PARTIES :

Reference No. 156 of 1989

Employers in relation to the management of Kankanee Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the workmen : Shri Lalit Burman, Vice President, United Coal Workers' Union.

STATE : Bihar

INDUSTRY : Coal

Dated, the 9th November, 1990

AWARD

The present reference arises out of Order No. L-20012 (77)/89-I.R.(Coal-I), dated the 7th November, 1989 passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :

“Whether the action of the management of Kankanee Colliery, Sijua Area No. V, M/s. B.C.C.L. in stopping Shri Kanahai Passi from work with effect from 19-7-85 declaring him unfit to work and refusing employment to his dependent son under clause 9.4.3 of NCWA-II is justified ? If not, to what relief the workman is entitled ?”

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in Court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be made on the basis of terms and conditions laid down in the memorandum of settlement. I accept it and make an award accordingly. The memorandum of settlement shall form part of the award.

3. Let a copy of this award be sent to the Ministry as required under Sec. 15 of the Industrial Disputes Act, 1947.

S. K. MITRA, Presiding Officer

[No. L-20012/77/89-IR(1)]

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

Reference No. 156/89

PARTIES :

Employer in relation to the management of Kankanee Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen

Petition of compromise :

The humble petition on behalf of the parties above named most respectfully shewth :—

1. That the Central Government by notification No. L-20012(77)/89-IR(Coal-1) dt. 7-11-89 has been pleased to refer the present dispute to the Hon'ble Tribunal for adjudication on the issue contained with schedule of reference which is reproduced below :—

"Whether the action of the management of Kankanee Colliery, Sijua Area No. V. M/s. BCCL in stopping Shri Kanahai Passi from work with effect from 19-7-85 declaring him unfit to work, and refusing employment to his dependent son under clause 9.4.3 of NCWA-III, is justified if not, to what relief the workmen is entitled ?"

2. That the above dispute has been amicably settled between the parties on the following terms :—

Terms of settlement

1. That it is agreed that the dependant of Sri Kanahai Passi shall be given employment as Miner/Loader subject to his medical fitness.

2. That dependent will submit the Identification Certificate, Verification roll and attestation form as prescribed by the management with the photograph of the dependant duly attested by the Mukhiya and B.D.O. of the village of residence.

3. That, this settlement resolved all the dispute between the parties and the workman concerned Sri Kanahai Passi shall have no claim whatsoever.

4. That, it was also agreed that 7 (seven) copies of this settlement should be filed before the Hon'ble Tribunal and the Hon'ble Tribunal may be requested to give an award in terms of settlement.

It is therefore, prayed that your honour may be graciously pleased to accept the settlement and pass an award in terms and settlement.

And for this act of kindness the parties shall ever pray.

For workman :

Sd/-

(Lalit Burman)

For Employees

Sd/-

(C. P. BANSAL)

30-10-90

Sd/-

R. K. CHOWDHURY, Dy. C.P.M.

Advocate :

Part of the Award

का. आ. 3398;—औद्योगिक विवाद अधिनियम, 1947

(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स टाटा आयरन एण्ड स्टील कंपनी लिमि. की मलकेटा कॉलियरी के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (नं. 1), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-11-90 को प्राप्त हुआ था।

S.O. 3398.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Malkera Colliery of M/s. Tata Iron & Steel Co. Ltd. and their workmen, which was received by the Central Government on the 20-11-90.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference U/s. 10(1)(d) of I.D. Act. 1947

Reference No. 83 of 1989

PARTIES :

Employers in relation to the management of Malkera Colliery of M/s. Tata Iron & Steel Co. Ltd., P.O. Jamadoba, Dhanbad.

VS.

Their Workmen

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri S. S. Bhattacharjee, Authorised Representative.

STATE : Bihar.

INDUSTRY : Coal

Dated, the 9th November, 1990

AWARD

The present reference arises out of Order No. L-20012/9/89-I.R. (Coal-I), dated the 29th June, 1989 passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :

"Whether the action of the management of Malkera Colliery of M/s. Tata Iron & Steel Co. Jamadoba, in dismissing Shri Swapan Kumar Dutta, Clerk Grade-III from service from 4-11-86 is justified ? If not, to what relief the workman is entitled to ?"

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in Court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be made on the basis of terms and conditions laid down in the memorandum of settlement. I accept it and make an award accordingly. The memorandum of settlement shall form part of the award.

3. Let a copy of this award be sent to the Ministry as required under section 15 of the Industrial Disputes Act, 1947.

S. K. MITRA, Presiding Officer

[No. L-20012/9/89-IR(Coal-I)]

K. J. DYVA PRASAD, Desk Officer

BEFORE THE HON'BLE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

Ref : No. 83/89

PARTIES :

Employers in relation to the management of Malkera Colliery of M/s. Tata Iron & Steel Co. Ltd., Jamadoba.

AND

Their workman

(In the matter of an Industrial Dispute concerning Sri Swapan Kumar Dutta, Ex. Clerk Gr. III of Malkera colliery).

The parties above named beg to submit as under :

That the above dispute has been referred to this Hon'ble Tribunal for adjudication by the Ministry of Labour, Govt. of India vide their notification No. L-20012(9)/89 dated 29-6-89.

That, the parties in the dispute have further discussed the matter and it has been mutually agreed to settle the dispute amicably on the following terms and conditions :—

TERMS & CONDITIONS OF SETTLEMENT

1. That the concerned workman, Sri Swapan Kumar Dutta, Ex. Clerk Gr. III will be re-employed as Clerk Gr. III in any of its Collieries/Units in Sijua Group.

2. That Sri Swapan Kumar Dutta will not be entitled to any back wages or monetary benefits for the period from the date of his dismissal till he resumes his duty.

3. That the concerned workman will be allowed to join the Company immediately after the compromise petition is filed before the Hon'ble Tribunal in anticipation of acceptance of the terms to form an Award.

4. That, the terms & conditions of this settlement are fair and proper.

It is, therefore, humbly prayed that the Hon'ble Tribunal may be graciously pleased to accept the above settlement and pass an Award in terms thereof and for this the parties shall be ever grateful.

FOR EMPLOYERS

Sd/-

(1) Shri S. N. Pandey,
Asstt. Manager (P&W).

FOR WORKMAN

Sd/-

(2) Sri Anwar Hashmi,
Personnel Manager.

Sd/-

(1) Sri Swapan Kumar Dutta,
Ex. Clerk Gr. III,
(The concerned workman)

Sd/-

(2) Sri S. Das Gupta,
Working President,
Rashtriya Colliery
Mazdoor Sangh.

नई दिल्ली, 26 नवम्बर, 1990

का. आ. 3399 :—कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा-1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा 1-12-90 को उस तारीख के रूप में नियत करती

है, जिसको उक्त अधिनियम के अध्याय-4 (धारा-44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और (अध्याय-5 और 6) धारा-76 की उपधारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है, के उपबन्ध केरल राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

“मालापुरम जिला के इरनाड तालुक में बजहाकाड राजस्व ग्राम के अन्तर्गत आने वाले क्षेत्र”

[संख्या-एस. 38013(28)90/एम. एस. 1]

New Delhi, the 26th November, 1990

S.O. 3399.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st December, 1990 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Kerala namely:—

“The area within the revenue village of Yuzhakkad in Ernad Taluk of Melappuram District”.

[No. S-38013/28/90-SS.I]

का. आ. 3400 :—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-12-90 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा-44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय-5 और 6 (धारा-76 की उपधारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध कर्नाटक राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

राजस्व ग्राम का नाम	होबली	तालुक	जिला
या नगर पालिका सीमाएं			
शाहबाद नगर	शाहबाद	चीतापुर	गुलबर्ग
पालिका सीमाएं			
भानकुर ग्राम की सीमाएं			

[संख्या एस. 38013(29)90/एम. एस. I]

S.O.3400—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st December, 1990 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have

already been brought into force) of the said Act shall come into force in the following areas in the State of Karnataka namely :—

Name of the revenue village or Municipal Limits	Hobli	Taluk	District
Shahabad Municipal limits Village limits of Bhankur	Shahabad	Chittapur	Gulbarga

[No. S-38013/29/90-SS. I]

नई दिल्ली, 29 नवम्बर, 1990

का.आ. 3401:—कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 5-ए की उपधारा (i) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारत के असाधारण राजपत्र भाग-I, खण्ड 3, उपखण्ड (ii) दिनांक 18 सितम्बर, 1985 में प्रकाशित भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 677(ई) दिनांक 18 सितम्बर, 1985 में निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में श्रम संख्या 1 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“श्रम और कल्याण राज्य मंत्री

भारत सरकार, नई दिल्ली”

[संख्या बी-20012/2/89-सु.सु.-II]

New Delhi, the 29th November, 1990

S.O. 3401.—In exercise of the powers conferred by sub-section (1) of section 5A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following amendment in the Notification of the Govt. of India, Ministry of Labour No. S.O. 677(E) dated 18-9-1985 published in Part II Section 3, sub-section (ii) of the Gazette of India, Extraordinary dated 18-9-1985.

In the said notification for the entries against serial No. 1, the following entries shall be substituted, namely :—

“Minister of State for Labour and Welfare, Government of India, New Delhi.”

[No. V-20012/2/89-SS. II]

का.आ. 3402:—केन्द्रीय सरकार कर्मचारी भविष्य निधि तथा प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 5 कक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री एन. कानन को श्री आर.सी. पाण्डे के स्थान पर कर्मचारी भविष्य निधि के केन्द्रीय न्यासी बोर्ड की कार्यकारी समिति का सदस्य नियुक्त करती है और भारत के राजपत्र, असाधारण के भाग-II खण्ड-3, उपखण्ड (ii) दिनांक 29 जून, 1990 में प्रकाशित भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या 532(ई) दिनांक 3 जुलाई, 1990 में निम्नलिखित संशोधन करती है।

2. उक्त अधिसूचना में श्रम संख्या 8 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि की जाएगी अर्थात् :—

श्री एन. कानन,
सचिव,
दक्षिण भारत नियोक्ता संघ,
41, कस्तुरी रंगा रोड,
अलवरपेट, मद्रास-600018.

[संख्या बी-20025(2)/89-सु.सु.-2]

ए. के. भट्टाराई, अव्वर सचिव

S.O. 3402.—In exercise of the powers conferred by section 5AA of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby appoints Shri N. Kannan as a member of the Executive Committee of the Central Board of Trustees, Employees Provident Fund in place of Shri R. C. Pandey and makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 532(E) dated the 29th June, 1990 published in Part-II, Section 3, sub-section (ii) of the Gazette of India Extraordinary dated the 3rd July, 1990.

2. In the said notification, against serial No. 8 and entries relating thereto, the following shall be substituted namely:—

“Shri N. Kannan,

Secretary,

Employees Federation of Southern India,

41, Kasthuri Ranga Road,

Alwarpet, Madras-600018.”

[No. V. 20025(2)/89-SS. II]

A. K. BHATTARAI, Under Secy.

नई दिल्ली, 26 नवम्बर, 1990

का. आ. 3403 :—अभ्रक खान श्रम कल्याण निधि नियमावली, 1948 के नियम 3 के माथ पठिन अभ्रक खान श्रम कल्याण निधि अधिनियम, 1946 (1946 का 22) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इसके द्वारा बिहार राज्य के लिए निम्नलिखित सदस्यों सहित सलाहकार समिति का पुनर्गठन करती है, अर्थात् :—

1. श्रम मंत्री, बिहार सरकार —अध्यक्ष
2. कल्याण आयुक्त, कर्मा (बिहार) —उपाध्यक्ष (पदेन)
3. क्षेत्रीय श्रम आयुक्त (के.),
पटना —सदस्य (पदेन)

- | | | | |
|---|---|---|--|
| 4. श्री रमेश प्रसाद यादव
विधान सभा सदस्य | —सदस्य | 7. श्री हरीश चन्द्र मिश्र,
महामन्त्रि,
अधक मजदूर यूनियन झुमरी
तलैया, जिला हजारीबाग | सदस्य (अधक खान
कर्मचारियोंका प्रति
निधित्व करने वाले |
| 5. श्री महावीर प्रसाद ज्ञानझारी,
अधक खान मालिक, गौशाला
रोड, झुमरी तलैया, जिला
हजारीबाग | —सदस्य (अधक खान
मालिकों का प्रतिनिधित्व
करने वाले | 8. श्री एन. पी. सिंह
डाकघर दोनियाडिह कोलियरी,
जिला गिरिडीह | } |
| 6. श्री राम रत्न लाल राजगढ़िया,
डारा सी. एम. राजगढ़िया,
गिरिडीह | | 9. श्रीमती उर्मिला देवी,
इलेक्ट्रॉनिक वर्कर ट्रेड यूनियन,
गिरिडीह। | |
| | | 10. कल्याण प्रशासक, कर्मा, बिहार | सदस्य-सचिव |
2. उपर्युक्त नियमवली के नियम 19 के अंतर्गत केन्द्र सरकार इसके द्वारा कर्मा, झुमरीतलैया, जिला हजारीबाग, बिहार को उपर्युक्त सलाहकार समिति का मुख्यालय नियत करती है।
- [स.-यू-19012/07/88—डब्ल्यू.-II (सी)]
बी. डी. नागर, अवर सचिव

New Delhi, the 26th November, 1990

S.O. 3403 :—In exercise of the powers conferred by section 4 of the Mica Mines Labour Welfare Fund Act, 1946 (22 of 1946), read with rule 3 of the Mica Mines Labour Welfare Fund Rules, 1948, the Central Government hereby reconstitutes the Advisory Committee for the State of Bihar with the following members, namely :—

- | | |
|---|--|
| 1. Labour Minister,
Government of Bihar. | Chairman |
| 2. Welfare Commissioner,
Karma (Bihar) | Vice-Chairman
(Ex-officio) |
| 3. Regional Labour Commissioner
(Central), Patna | Member
(Ex-officio) |
| 4. Shri Ramesh Prasad Yadav,
M.L.A. | Member |
| 5. Shri Mahavir Prasad Jhanjhari,
Mica Mine Owner,
Goshalla Road, Jhumritelaiya,
Distt. Hazaribagh. | Members representing Mica Mine Owners. |
| 6. Shri Ram Ratan Lal Rajgarhia,
M/s. C.M. Rajgarhia,
Giridih. | |
| 7. Shri Harish Chander Misra,
General Secretary,
Mica Mazdoor Union,
Jhumritelaiya, Distt. Hazaribagh. | Members representing Mica Mine
Workers. |
| 8. Shri N.P. Singh,
At & P.O. Beniadih Colliery,
District Giridih. | |
| 9. Smt. Urmila Devi,
President,
Electronic Workers Trade Union (INTUC),
Giridih. | Member, Woman Representative |
| 10. Welfare Administrator,
Karma, Bihar. | Member-Secretary |

2. Under Rule 19 of the said rules, the Central Government hereby fixes Karma, Jhumritelaiya, District Hazaribagh, Bihar to be the headquarters of the said Advisory Committee.

[No. U-19012/7/88-W. II(C)]

नई दिल्ली, 29 नवम्बर, 1990

का.ग्रा. 3404.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (६) के उपखण्ड (VI) के उपबंधों के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.ग्रा. 1644 दिनांक 24 मई, 1990 द्वारा किसी भी तेल में सेवा को उक्त अधिनियम के प्रयोजनों के लिए 7 जून, 1990 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था,

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है,

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (६) के उपखण्ड (vi) के परन्तुक द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 7 दिसम्बर, 1990 से छह मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एस-110017/5/85-डी-1(ए)]

New Delhi, the 29th November, 1990

S.O. 3404.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. 1644 dated the 24th May, 1990 the service in any oil field to be a public utility service for the purposes of the said Act, for a period of six months from the 7th June, 1990;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 7th December, 1990.

[No. S-11017/5/85-D.I(A)]

का.ग्रा. 4305.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (६) के उपखण्ड (6) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.ग्रा. 1720 दिनांक 4 जून, 1990 द्वारा लौह अयस्क खनन उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 8 जून, 1990 से छह मास की कालावधि के लिये लोक उपयोगी सेवा घोषित किया था,

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिये बढ़ाया जाना अपेक्षित है,

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (६) के उपखण्ड (vi) के परन्तुक द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिये 8 दिसम्बर, 1990 से छह मास की और कालावधि के लिये लोक उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/12/85-डी-1(ए)]

S.O. 3405.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 1720 dated the 4th June, 1990 the iron ore mining industry to be a public utility service for the purposes of the said Act, for a period of six months, from the 8th June, 1990;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 8th December, 1990.

[No. S-11017/12/85-D.I(A)]

का.ग्रा. 3406.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (६) के उपखण्ड (vi) के उपबंधों के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.ग्रा. 1786 तारीख 14 जून, 1990 मिक्चरिटी पेपर मिल, होशंगाबाद को उक्त अधिनियम के प्रयोजनों के लिये 19 जून, 1990 से छः मास की कालावधि के लिये लोक उपयोगी सेवा घोषित किया था,

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिये बढ़ाया जाना अपेक्षित है,

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उपखण्ड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिये 19 दिसम्बर, 1990 से छः मास की और कालावधि के लिये लोक उपयोगी सेवा घोषित करती है।

[फा.सं. एस-11017/10/81-डी-1(ए)]

नन्द लाल, प्रवर सचिव

S.O. 3406.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of

section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour No. S.O. 1786 dated the 14th June, 1990 the Security Paper Mill, Hoshangabad, to be a public utility service for the purposes of the said Act, for a period of six months from the 19th June, 1990;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 19th December, 1990.

[No. S-11017/10/81-D.I(A)]

NAND LAL, Under Secy.